



HOUSE OF LORDS

European Union Committee

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16th Report of Session 2010–11

# Grassroots Sport and the European Union

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NOTE: Evidence is published online at [www.parliament.uk/hleug](http://www.parliament.uk/hleug) and available for inspection at the Parliamentary Archives (020 7219 5314)

References in footnotes to the Report are as follows:

- Q        refers to the question in oral evidence;
- GSEU   refers to written evidence as listed in Appendix 2.

## SUMMARY

The Lisbon Treaty granted the EU a formal competence in the field of sport, permitting it to support, coordinate and complement the actions of Member States. In January 2011 the Commission published its Communication, *Developing the European Dimension in Sport*, the first sport policy document since the Treaty entered into force on 1 December 2009. This report examines how the competence can best be used to support grassroots sport, extending the benefits participation can bring to individuals, specific groups of individuals and communities. It also responds to the Communication's suggestions in these areas. Grassroots sport is a broad term covering non-professional activity, sometimes referred to as 'sport for all'.

We conclude that the EU and its Member States can benefit most from sport by integrating it into policy making and delivery in a broad range of areas including health, education, social inclusion and equalities. Sport can act as a powerful tool in delivering objectives in each of these areas but its potential has yet to be exploited by policy makers at either EU or Member State level.

We therefore recommend that the EU should act in two main ways: by integrating sport into its policy making and funding streams; and by encouraging Member States to improve their own performances. The Commission's Sport Unit could usefully act as a focal point for activity. The EU can assist in making a more compelling case for the integration of sport through data collection and research, particularly with regard to the evidence base around the social outcomes which sport can facilitate. It should also improve mechanisms through which Member States share best practice and establish an interactive webportal where grassroots organisations can do likewise. Whilst we accept that resources for any funding stream specific to sport are likely to be small, we nevertheless see value in a Sports Programme, although lessons need to be learnt from the Preparatory Actions, most notably how to make the transnational requirement work in practice.

EU legislation in a diverse range of areas impacts upon the delivery and sustainability of grassroots sport including intellectual property and single market legislation. In these cases, we conclude that sport needs to be considered in its own right, and where appropriate its specific nature taken account of. Such legislation is significant in that the way in which it is applied to the broadcasting rights of professional sport directly impacts upon the amount of money available for redistribution at the grassroots. In order to lessen the current sense of uncertainty, sports stakeholders and the Commission should work together in light of Court of Justice judgments to produce a more widely agreed definition of the specificity of sport.

We conclude that better and more consistent measures need to be put in place to ensure that proposed legislation in areas not directly relating to sport does not adversely impact upon it or impose unnecessary regulatory burdens. We recommend that a review of existing legislation take place.

Dialogue between sports stakeholders and the Commission is currently not fully representative. We recommend the Commission put in place measures to better inform grassroots organisations about work being undertaken at EU level and the opportunities available to them.



# Grassroots Sport and the European Union

## CHAPTER 1: INTRODUCTION

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### The development of an EU sports policy

1. Article 165 of the Lisbon Treaty (TFEU) for the first time accords the European Union a formal competence in the field of sport (see Box 1). The Treaty provides for the EU to support, coordinate and complement the efforts of Member States but does not allow it to adopt legislation specifically relating to sport. The EU uses the definition of sport established by the Council of Europe which encompasses “all forms of physical activity which, through casual or organised participation, aim at expressing or improving physical fitness and mental well-being, forming social relationships or obtaining results in competition at all levels.”<sup>1</sup>
2. Sport as a policy area has been developing at EU level over a number of years. Further to a number of Commission Reports, the EU’s Heads of State and Government adopted a Declaration, which was annexed to the 1997 Amsterdam Treaty. This emphasised the social significance of sport and noted that particular consideration should be given to the specific characteristics of amateur sport. Three years later, the December 2000 Nice European Council adopted Conclusions which went into much greater detail, and requested that the European institutions and Member States “continue examining their policies” in the light of the general principles laid down. On that occasion, the focus remained the societal role of sport, and the consequent importance of taking sport’s social function into account when adopting and implementing other Community policies.<sup>2</sup>
3. The Commission issued a White Paper on Sport<sup>3</sup> in July 2007 and this, along with its accompanying action plan, subsequently formed the basis of EU action. The White Paper examined sport’s societal role, its economic dimension and its organisation. This has become the accepted structure for EU level activities and discussion among stakeholders and the EU institutions. The Commission has made clear that in many areas it considers the White Paper remains an appropriate basis for EU level activities.<sup>4</sup> Preparatory actions, intended to prepare the ground for future EU actions, began in 2009.<sup>5</sup>

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<sup>1</sup> [http://www.coe.int/t/dg4/sport/sportineurope/Default\\_en.asp](http://www.coe.int/t/dg4/sport/sportineurope/Default_en.asp)

<sup>2</sup> [http://www.europarl.europa.eu/summits/nice1\\_en.htm#IV](http://www.europarl.europa.eu/summits/nice1_en.htm#IV)

<sup>3</sup> COM (2007) 391

<sup>4</sup> COM (2011) 12

<sup>5</sup> See paragraph 60 for further detail.

## BOX 1

### Article 165 TFEU

Article 165 (1) provides that “the Union shall contribute to the promotion of European sporting issues, while taking into account the specific nature of sport, its structures based on voluntary activity and its social and educational function.”

Article 165 (2) continues that “Union action shall be aimed at developing the European dimension in sport, by promoting fairness and openness in sporting competitions, promoting cooperation between bodies responsible for sport, and protecting the physical and moral integrity of sportsmen and sportswomen, especially the youngest sportsmen and sportswomen.”

Article 165 (3) states that “The Union and Member States shall foster cooperation with third countries and the competent international organisations in the field of education and sport, in particular the Council of Europe.

Article 165 (4) permits the EU institutions to “adopt incentive measures and recommendations, excluding any harmonisation of the laws and regulations of the Member States.”

4. We examined the treaty base in our report *The Treaty of Lisbon: an impact assessment*<sup>6</sup> prior to its entry into force. The absence of a specific treaty base for sport prior to December 2009 was regarded by some as unsatisfactory, creating legal uncertainty and leaving sports policy lacking both coherence and status. There was no strategic approach to sport, integration into wider EU policy, and no dedicated funding. There was also concern that the specific nature and characteristics of sport were neither sufficiently nor systematically taken into account by either the Commission or the Court of Justice. This was particularly the case where sport came into conflict with principles of EU law, notably those relating to the single market, such as competition and free movement. One such example was the *Bosman* ruling, in which restrictions on the number of non-nationals playing in a club team within a Member State were ruled to be in contravention of the free movement principles enshrined within the Treaty.<sup>7</sup> This state of affairs was criticised for leaving sports policy to be determined by the Court of Justice.
5. In April 2010 the Commission initiated an EU-wide public consultation, which resulted in its Communication *Developing the European Dimension in Sport*. Published in January 2011, in the course of this inquiry, it proposes actions until 2015. It is due to be first discussed at the Council of Sport Ministers’ meeting in May 2011. Box 2 sets out the specific challenges which the Communication identifies and aims to address.<sup>8</sup> This reflects a broad consensus on the areas where the EU should act. These have emerged through the Commission’s consultation exercise and independent expert group, Member State preferences and a study conducted for the European Parliament’s Education and Culture Committee.

<sup>6</sup> European Union Committee, 10th Report (2007-08): *Treaty of Lisbon: an impact assessment* (HL Paper 62).

<sup>7</sup> Case C-415 93 *Belgian Football Association v Bosman*, ECR 1995, p. I-4921

<sup>8</sup> EM 5597/11



## BOX 2

### **Challenges identified in the Commission's Communication *Developing the European Dimension in Sport***

Sport's health enhancing, social and educational functions:

- Health concerns due to a lack of physical activity
- Social exclusion of disadvantaged groups and unused potential of sport
- Inadequate systems to combine sport and education

Sustainable sport structures:

- Insufficient support for voluntary activity
- Current and future challenges to the sustainable funding of sport including regulatory changes in the gambling sector in Member States
- Inadequate protection of intellectual property rights

Doping as a threat to the physical and moral integrity of sports people

Discrimination in sport on the grounds of nationality

Unused scope for improving EU-level dialogue on sport

Perceived lack of legal clarity regarding the application of EU law to sport

Insufficient information on sport for Member States

### **The Committee's inquiry**

6. This report does not question either the value of the competence or its scope. Sport as a policy area in itself is small in EU terms and has limited resources. The Committee launched this inquiry to consider how the new competence might best be used to maximise the potential and highlight the value of grassroots sport. In particular we consider how sport might be used to add value to wider policy priorities and agendas where the EU already acts and where it can support the actions of Member States. The inquiry was also launched with the aim of informing the Committee's response to the Commission Communication. This report puts our recommendations to the Government, but we hope that they will also be of interest to the European institutions. Although the Communication encompasses the entire spectrum of sports from professional to grassroots, the focus of this report is the grassroots dimension. We have chosen this focus in the light of the fact that Article 165 expressly recognises the social and educational significance of sport.<sup>9</sup>
7. This report begins by considering the evidence for the range of outcomes that grassroots sport can deliver. From this, we identify priorities for EU action. We then consider what measures are needed to support and resource these priorities and what action the EU can take, notably in the areas of volunteering and funding. Finally, we consider how various forms of dialogue should function.

<sup>9</sup> The definition of grassroots activity varies from sport to sport and between Member States but is often characterised by being local or community-based and dependent on volunteers. It is not necessarily competitive.

8. The members of the Social Policies and Consumer Protection Sub-Committee who conducted the inquiry are listed in Appendix 1, showing their declared interests. We are grateful for the written and oral evidence that we received for our inquiry; the witnesses who provided it are listed in Appendix 2. In particular, we are grateful to Swiss Cottage School and the Camden Physical Activity and Disability Sports Team who allowed us to conduct a site visit and to those witnesses who gave evidence in person. A note of the visit can be found at Appendix 3. We are also grateful to Professor Richard Parrish, Professor of Sports Law at Edge Hill University, who was our specialist adviser for this inquiry. His interests are listed in Appendix 1.
9. The Call for Evidence we issued is shown in Appendix 4, and the evidence we received is available online.
10. **We make this report to the House for debate.**

## CHAPTER 2: THE SOCIETAL ROLE OF SPORT

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11. The Commission's Communication highlights a number of ways in which sport can contribute to the targets set out in the Europe 2020 Strategy: "sport has a strong potential to contribute to smart, sustainable and inclusive growth and new jobs through its positive effects on social inclusion, education and training, and public health."<sup>10</sup> This chapter first considers the evidence received about the range of outcomes sport is capable of delivering, before moving on to consider where the EU could act to provide added value to its existing actions and those of Member States in order to maximise sport's potential in these fields.
12. The Committee received a wide range of submissions which drew attention to the variety of ways in which sport can be used to deliver benefits for individuals, specific groups of individuals and communities. These could be broadly classified into benefits relating to: health; education, skills and personal development; and social inclusion. These are all areas in which the EU already acts. In the areas of combating social exclusion (Article 153(j)), public health (Article 168) and education (Articles 165–6), the EU's competence is largely restricted to a supporting one whereby it complements the actions of Member States and encourages cooperation between them. It can adopt incentive measures and recommendations to Member States, excluding any harmonisation of laws.

### Health Benefits

13. There was broad agreement amongst our witnesses that the evidence base was strongest and most well-established around the positive physical and mental health outcomes that can result from regular participation in sport. These include reduced risk of heart disease, type 2 diabetes, strokes, certain types of cancer, osteoporosis and obesity, amongst others.<sup>11</sup> Evidence documenting sport's role in improving mental health for those who suffer from depression and anxiety was also highlighted.<sup>12</sup>
14. Participation in sport can therefore have particular benefit for groups at greater risk of developing these conditions. For example, the English Federation of Disability Sport (EFDS) highlighted that the prevalence of mental illness is around three times higher amongst those with a disability than in the general population<sup>13</sup> whilst Sport England noted that individuals of African Caribbean origin have a significantly higher risk of developing diabetes.<sup>14</sup> The Royal National Institute of Blind People also drew attention to the role physical activity can play in improving balance, mobility and coordination for those with a visual impairment.<sup>15</sup>

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<sup>10</sup> COM (2011) 12

<sup>11</sup> Recommendations of the Chief Medical Officer cited in Q 41, Q 121, Department of Health *Be Active, Be Healthy*, 2009, cited in GSEU 29 and GSEU 14

<sup>12</sup> GSEU 20, GSEU 19, GSEU 29

<sup>13</sup> GSEU 14

<sup>14</sup> GSEU 29

<sup>15</sup> GSEU 13

### Education, Skills and Personal Development

15. A number of witnesses drew attention to sport as a tool in engaging individuals at all stages in the educational process, contributing to improved academic performance and assisting in the development of skills and attributes which can help move individuals further along the path to employment.
16. Examples of personal development included confidence building and improved self-esteem. Groups particularly identified as benefiting from this included young women,<sup>16</sup> individuals from disadvantaged communities<sup>17</sup> and those with a disability.<sup>18</sup> It was also stressed that despite these benefits, these were all groups which are currently under-represented in terms of participation in sport.
17. With regard to outcomes in the education system, a number of witnesses drew attention to studies which have suggested a positive correlation between participation in sport and improved academic success in school.<sup>19</sup> Others focused on the use of sport as a tool in increasing motivation and attendance. The Rugby Football Union (RFU) cited a project which has used sport as a means of facilitating the return of 14–16 year old young offenders to mainstream education.<sup>20</sup> The Premier League highlighted an innovative programme run in conjunction with schools which uses football as a method of engaging pupils and encouraging uptake of languages at GCSE. Football related resources are used in language teaching in the classroom, followed by football coaching in the language.<sup>21</sup>
18. Participation in sport can also help develop soft skills, such as communication and confidence-building, which can assist individuals back into employment or in their progress towards it. A project run by the Lawn Tennis Association (LTA) in association with the Prince's Trust and Gosling Tennis Academy aimed at developing skills essential for employability such as teamwork and leadership. In their pilot project 98% of participants were classified as educational under-achievers and 30% were ex-offenders. Following the programme 89% either continued in education or went into training or employment.<sup>22</sup> The Football Foundation had similar success with a project run in conjunction with an NHS mental health partnership which combines football with educational activities. Evaluation of this project revealed that following the programme 75% of participants went into education, volunteering or training.<sup>23</sup>
19. Participation in grassroots sport also offers opportunities for educational and personal development to volunteers. StreetGames described how for those from disadvantaged communities volunteering “can significantly improve their life chances and help achieve their full potential through teaching leadership and life management skills, as well as providing a route to

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<sup>16</sup> GSEU 15

<sup>17</sup> GSEU 11

<sup>18</sup> GSEU 14

<sup>19</sup> GSEU 31, GSEU 29

<sup>20</sup> GSEU 7

<sup>21</sup> GSEU 17

<sup>22</sup> GSEU 27

<sup>23</sup> GSEU 20

recognised qualifications.” These included Sports Leader and Coach awards, first aid and lifeguarding qualifications. Surveys of participants revealed that these opportunities were highly valued, with individuals reporting that the experience had provided “a doorway to the future ... a practical way of learning” and had “helped me get back on my feet ... before, there were some days I couldn’t leave the house.”<sup>24</sup> The opportunities available for educational and personal development were also highlighted by Nary Wijeratne, a Volunteer Coordinator to whom we spoke in the course of our visit to Swiss Cottage School. She provided an example of a volunteer programme designed as a personal empowerment and leadership scheme for young girls.<sup>25</sup>

20. We also received evidence regarding the role sport can play in awareness-raising. For example *Premier League Health* is a programme which aims to harness the popularity of sport to promote health issues. Run by clubs working with local health agencies who are able to identify the needs of a particular locality it aims to target individuals, many of whom may otherwise be hard to reach, within settings which are familiar and accessible to them. Work as part of the scheme has included bringing health professionals into stadiums on match days to talk directly to fans.<sup>26</sup> Sport Wales also emphasised the usefulness of sport, particularly in isolated rural areas, as a vehicle for bringing people together which could then be capitalised upon for other purposes, for example to broaden access to education and technology.<sup>27</sup> The European Non-Governmental Sports Organisation (ENGSO) and Supporters Direct considered the potential of sport as a vehicle for non-formal learning could be extended even further to promote more intangible concepts including European citizenship and democratic participation.<sup>28</sup>

### Societal Benefits

21. The Commission Communication draws particular attention to the potential of sport as a vehicle “to promote social inclusion of minorities and other vulnerable or disadvantaged groups and contribute towards better understanding among communities, including in post-conflict regions.”<sup>29</sup> The societal role of sport is one of the areas where the Government express their clearest support for the Commission’s objectives. In their Explanatory Memorandum they state that they support the Commission’s desire “to derive clear benefits for EU citizens and the continuing and effective use of sport as a positive policy instrument” and that “on that basis, the Communication should be regarded as a particularly constructive and welcome narrative of EU sports policy goals and ambitions in this area.”<sup>30</sup>
22. The role sport can play in helping to integrate individuals excluded or isolated from society was highlighted by a number of our witnesses. The

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<sup>24</sup> GSEU 34

<sup>25</sup> Appendix 3

<sup>26</sup> GSEU 17

<sup>27</sup> Q 212

<sup>28</sup> GSEU 30, GSEU 32

<sup>29</sup> COM (2011) 12

<sup>30</sup> EM 5597/11

Sport and Recreation Alliance<sup>31</sup> and ENGSO<sup>32</sup> drew attention to the benefits of participation for older people and the minister described increasing their levels of participation as “a huge area of possibility.”<sup>33</sup> The Football Foundation, which funds a project aimed at addressing physical and social inactivity of those aged over 55 and the Jubilee Hall Trust, which runs a dance class for those over 50, both highlighted feedback from participants which suggested its role in reducing feelings of social isolation in addition to increasing their sense of physical and mental wellbeing.<sup>34</sup>

23. A number of our witnesses spoke of the potential role of sport in bringing together diverse or fragmented communities. Sport Northern Ireland described the “vital role” sport had played in “bringing the peoples of Northern Ireland together in an area that was safe and secure and in which there was mutual respect for their traditions and identities.” The EU Programme for Peace and Reconciliation in Northern Ireland and the Border Region of Ireland acknowledged sport’s potential in this area, funding projects aimed at community cohesion and good relations.<sup>35</sup> Leon McCollin, a volunteer with StreetGames, explained how sports activities in his community had brought together individuals from a diverse range of religious and cultural backgrounds<sup>36</sup> and how this had had success in encouraging integration beyond the time of the formal sessions. The football project Kickz, funded by the Football Association and the Premier League and run in association with the police, has also had success in bringing together individuals from diverse ethnic groups in areas of deprivation where gangs often pose serious problems.<sup>37</sup>
24. We also received evidence which stressed the effectiveness of sport as a method of reaching disengaged young people, particularly at “jeopardy ages.” StreetGames described the ways in which they tailored their programmes in order to address directly the protection and risk factors which affect young people falling into criminal or antisocial behaviours.<sup>38</sup> These are set out in Box 3. StreetGames also provided a number of practical examples of where their projects had contributed to measurably reduced rates of offending. For example data provided by Greater Manchester Police indicated that reported figures of antisocial behaviour in two wards where StreetGames targeted its projects were reduced by 39.7% per month in the course of a year.<sup>39</sup> Such projects can help local communities and businesses affected by offending whilst also providing opportunities for the police and other authorities to build up trust and relationships with young people and their families.<sup>40</sup> A report published by the Department for Culture, Media and Sport (DCMS) in 2009 concluded that “there is a clear association

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<sup>31</sup> GSEU 1

<sup>32</sup> GSEU 30

<sup>33</sup> Q 231

<sup>34</sup> GSEU 20, GSEU 23

<sup>35</sup> QQ 210, 224

<sup>36</sup> Q 101

<sup>37</sup> GSEU 17

<sup>38</sup> GSEU 34, Youth Justice Board, *Risk and Protective Factors*, 2005

<sup>39</sup> GSEU 34

<sup>40</sup> GSEU 17, GSEU 11

between levels of trust in a community and membership of sport and cultural groups.”<sup>41</sup>

### BOX 3

#### Using sport as a method of preventing youth offending

**Risk factors** are those which are known to increase the likelihood of subsequent involvement in youth crime. These can include weak communities, social alienation and attitudes which condone offending.

Grassroots sports projects can help mitigate these through creating stronger communities and helping build a sense of pride and belonging particularly through competitive events. Participation can also bring different communities together, helping to relieve tensions. Coaches and leaders can be used to transmit social understanding to participants, highlighting unacceptable behaviours and presenting the message that offending is unacceptable.

**Protection Factors** are those that buffer children and young people against the risks to which they are exposed.

Leaders of grassroots sports projects can provide positive role models within communities. Participation in sporting activities can also provide opportunities for individuals to develop social and intellectual skills and self-esteem. In addition it can provide a forum in which participants are able to learn to deal with setbacks.

25. **We believe that the EU could gain most from the new competence, particularly at a time of financial constraint, by regarding sport not as a peripheral policy area but as a powerful and effective tool in the delivery of objectives across the policy spectrum, notably in the health, social and educational spheres. We welcome the Commission’s focus on this in the Communication.**
26. **With particular regard to EU policy, sport can make a strong contribution to the achievement of three out of the five headline targets of the Europe 2020 Strategy, namely those on employment, education and poverty and social exclusion. Increasing levels of participation in grassroots sports should therefore be a priority in the field of sport for the Member States, and for the EU within the limits of its competence.**
27. Our evidence also highlighted that participation in sport can bring particular benefits to groups whose participation rates are lowest. These include women and girls, those with a disability, the unemployed, older people, migrant communities and those from disadvantaged communities. **Particular effort should be devoted to increasing participation of these groups. We welcome the Commission’s proposal to support projects promoting their inclusion.**

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<sup>41</sup> DCMS, *Lifting People, Lifting Places*, 2009

### CHAPTER 3: INTEGRATING SPORT INTO POLICY MAKING AND DELIVERY

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28. Given the role sport can play in delivering a number of policy objectives, this chapter first looks at how successfully it is integrated, or mainstreamed, into policy making and delivery at both EU and Member State level.<sup>42</sup> We then examine the potential for enhancing the role of sport in delivering policy objectives.

#### Mainstreaming

29. The majority of our witnesses expressed a sense of frustration that the potential of sport was not sufficiently understood or exploited by policy makers and argued for improved and more consistent mainstreaming of sport. The Premier League felt that one of the primary obstacles to their projects addressing social issues was “the reluctance of respective spheres, particularly education and health, to accept that football and sport can have a positive impact.”<sup>43</sup> Keith Newman of the EU Sports Platform, an organisation which aims to help the sports world better understand EU policy making, agreed that sport’s potential was not “reflected in budgetary priorities or in sport’s position in the priority list, not just in the European Commission but within most governmental and European bodies.”<sup>44</sup> A number of witnesses felt this problem was most acute where projects were aiming at personal and social outcomes; health outcomes were better recognised.<sup>45</sup> As Sport Wales put it, “it is important that we seek to maximise the impact of sport by recognising the benefits beyond simply the health agenda ... the power of sport is not sufficiently recognised across public policy.”<sup>46</sup>
30. It was felt that this was an area both where the EU needed to improve its own performance and where it could take action to promote and facilitate better policy making at Member State level. The LTA spoke for many of our witnesses when it suggested that “one way that the EU could help ... would be to promote the value of sport to the other areas of the EU.”<sup>47</sup>
31. Mary Honeyball MEP felt that there was a genuine desire on the part of the Commission to promote the social value of sport.<sup>48</sup> Commissioner Vassiliou, when she met us in November 2010 to discuss the Youth on the Move initiative, was keen to stress the “social and educational benefits of sport” and its “ability to draw disadvantaged groups and people into a community.”<sup>49</sup> The Commission highlighted the Disability Strategy and the

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<sup>42</sup> ‘Mainstreaming’ is an approach to policy making and delivery. In this case it involves ensuring that sport is taken into account, and integrated into, policies and programmes in relevant areas. These might include for example health, education, social inclusion and gender equality. It both helps ensure that sport is included where it can add value and prevents the development of policies which may inadvertently adversely impact upon the successful delivery of sport

<sup>43</sup> GSEU 17

<sup>44</sup> Q 177

<sup>45</sup> Q 41

<sup>46</sup> GSEU 35

<sup>47</sup> Q 96

<sup>48</sup> Q 165

<sup>49</sup> Q 1, Social Policies and Consumer Protection Sub-Committee evidence session on *Youth on the Move*



Strategy for Equality between Men and Women as examples of where sport had been successfully integrated into policy making.<sup>50</sup>

32. Whilst the significant progress made by the Commission in mainstreaming sport was noted by those such as the International Sport and Culture Association (ISCA), the majority still believed that such integration was not yet routine.<sup>51</sup> Indeed, we have, in the course of scrutiny of EU documents, expressed our surprise at the lack of attention given to the potential of sport in, for example, the Platform against Poverty and Social Exclusion and the Communication on Active Ageing.<sup>52</sup>
33. We also heard that there continue to be difficulties regarding access to sporting facilities and venues for certain groups with disabilities. For example, the Centre for Access to Football and the Association of Disabled Supporters argued that access to sporting facilities and venues needed increased consideration in EU legislation and guidance for the built environment.<sup>53</sup>
34. Similarly at a national level, many of our witnesses felt that a significant barrier to the potential of sport being achieved was due to the failure to mainstream. The Football Foundation viewed the Government's engagement with sport as "piecemeal rather than a coordinated cross departmental strategy, which limits its potential impact."<sup>54</sup> Hugh Robertson MP, Minister for Sport and the Olympics, accepted that nationally this was an area where there was "a huge amount of work to be done" and acknowledged that it was the issue in his remit which, if resolved, had the potential to bring about "the greatest long-term benefit."<sup>55</sup>

### Research and data collection

35. There was general agreement amongst our witnesses that the evidence base for outcomes in the health sphere was the most well-established and understood by policy makers. Jennie Price, Chief Executive of Sport England, explained that "it's reasonably straightforward in the health area, because there is clear medical evidence that if you do physical activity five times a week for thirty minutes you get health benefits. Health professionals understand that; it's endorsed by the Chief Medical Officer."<sup>56</sup> It is also an area in which work has been undertaken to quantify the benefits, providing a compelling cost-benefit argument for increasing levels of participation. For example, the Chief Medical Officer has estimated that physical inactivity costs England £8.2 billion per year and the government-funded Culture and Sport Evidence programme has estimated that if Sport England were to achieve their aspiration of one million more people across the country doing 3 x 30 minutes of moderate intensity sport a week, it would save £22.5 billion in health and associated costs.<sup>57</sup>

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<sup>50</sup> QQ 190–191

<sup>51</sup> For example GSEU 22, GSEU 1, GSEU 30

<sup>52</sup> <http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-social-policy-and-consumer-affairs-sub-committee-g/scrutiny-work1/correspondence-with-ministers/>

<sup>53</sup> GSEU 25

<sup>54</sup> GSEU 20

<sup>55</sup> Q 238

<sup>56</sup> Q 41

<sup>57</sup> CASE, *Understanding the Value of Engagement*, 2010

36. However, the evidence base for outcomes in the social sphere was felt to be less well established and many of our witnesses believed this to be to a large extent responsible for the under-use of sport by policy makers. The Football Foundation ventured that “it may be the case that a considerable barrier to grassroots sport fulfilling its potential ... is not delivering the change but being able to adequately demonstrate achievements to make the case ... It is lack of good evidence that prevents many programmes from showing the true value of their work.”<sup>58</sup> Sport England agreed, telling us that the social sphere lacked the “good, direct, causal evidence” which existed in the health sphere, making it harder to make a compelling case to policy makers for the use of sport as a tool in the delivery of policy. This was felt to be compounded by a lack of established quantitative data.<sup>59</sup>
37. The difficulties in measuring, and in particular quantifying, the effectiveness of sport in personal development for individuals and for some of the societal outcomes which are more difficult to define and capture were raised by a number of our witnesses.<sup>60</sup> This was also evident from a number of submissions which were often forced to rely on broad statements and anecdotal evidence. However, we were provided with some examples of methodologies which seek to capture such outcomes in a more systematic way.<sup>61</sup>
38. There was agreement amongst our witnesses that data collection and research into the types of social outcomes that sport can facilitate would assist in encouraging the use of sport across the policy spectrum at all levels and would incentivise Member States to improve rates of participation. This would also strengthen the ability of sport to attract funding, including from the structural funds. As Keith Newman of the EU Sports Platform told us, “crucial to any funding, whether it’s a small amount now or a large amount in the future, is that you can measure the successful outcomes, not just in purely sporting terms, but in the other side benefits. That’s important for the political argument and for the actual benefits that it will provide at grassroots level. I hope that will be looked at a lot more carefully by the Commission.”<sup>62</sup> Sport England agreed that it would be valuable if “fundamental research looking at causality, which is very difficult to fund and put in place in each country separately, could be joined up across Europe.”<sup>63</sup> Emma McClarkin and Mary Honeyball, members of the European Parliament’s Culture and Education Committee, also agreed with the suggestion that data collection and research, particularly regarding outcomes in the social sphere, would be useful priorities for the Commission to adopt.<sup>64</sup>
39. The paucity of EU-wide data relating to sport and in particular the lack of standardised measurements, for example to measure participation, were also viewed as a limiting factor. A number of witnesses suggested that collecting comparable statistics would be a powerful incentive for Member States to improve their performance, as it had been in other areas such as promoting

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<sup>58</sup> GSEU 20

<sup>59</sup> Q 41

<sup>60</sup> QQ 41, 92, 93

<sup>61</sup> GSEU 20

<sup>62</sup> Q 183

<sup>63</sup> Q 46

<sup>64</sup> QQ 141, 157, 165

recycling.<sup>65</sup> Sport England believed that if such data demonstrated the link between levels of participation in sport and a better overall environment for citizens it would be “very powerful.”<sup>66</sup>

40. The Commission Communication puts forward three proposals in the field of research and evidence gathering. These are to:
- work with Member States to produce satellite accounts for sport. These measure the economic importance of a specific industry to a national economy;
  - support a network of universities to promote innovative and evidence-based sport policies;
  - study the feasibility of establishing a sports monitoring account in the EU to analyse trends, collect data, interpret statistics, facilitate research, launch surveys and studies, and promote exchange of information.
41. The Government commented that these proposals had the potential to address the evidence base relating to the social outcomes sport can deliver but acknowledged that this was an area where the Commission might need to be pressed to take specific action.<sup>67</sup> The Commission, whilst stressing their commitment to evidence-based policy making, also conceded that evidence around social returns was not addressed directly in the Communication, explaining that the Europe 2020 Strategy meant that “the emphasis of much of what we do is very much on the economic side of things at the moment.”<sup>68</sup>

### Sharing of best practice

42. A number of our witnesses drew attention to how the sharing of experience and best practice between Member States would add value to their work. Areas identified where this would be particularly beneficial included the societal outcomes of sport, how to increase participation, particularly among under-represented groups, and how research can best influence and be integrated into policy agendas.<sup>69</sup> For example, Mary Honeyball MEP suggested that the UK could learn lessons from the Scandinavian countries and Germany about increasing participation.<sup>70</sup> The Government agreed, particularly with respect to learning how drop-off rates in sport among older people could be reduced.<sup>71</sup> The EU Sports Platform noted that there was particularly good practice in some Member States in anti-racism work and gender and disability equality in sport which could usefully be shared.<sup>72</sup> Amongst all our witnesses, there was a sense that such exchanges represented an area of real added value on the part of the EU. For example, Emma McClarkin MEP expressed the view that “the exchange of best practice is what the EU can do when it is working at its very best.”<sup>73</sup>

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<sup>65</sup> QQ 62, 93

<sup>66</sup> Q 62

<sup>67</sup> QQ 236–237

<sup>68</sup> Q 188

<sup>69</sup> For example GSEU 5, GSEU 1

<sup>70</sup> Q 157

<sup>71</sup> Q 231

<sup>72</sup> Q 171

<sup>73</sup> Q 141

43. We consider the functioning of the various channels for the sharing of best practice and how these might be improved in order to exploit their potential fully in chapter 5.
44. **We consider that the potential of sport to deliver on objectives across the policy spectrum, but particularly in the social sphere, has yet to be fully exploited by policy makers at both EU and Member State level.**
45. **Whilst the Commission has had some success in integrating sport into other policies, for example including it in the Disability Strategy and the Strategy for Equality between Men and Women, further work is needed to ensure it is consistently mainstreamed across the work of all relevant Directorates General.**
46. **It is also desirable that sport should be further mainstreamed into health, social and educational policies at Member State level. We consider this to be a policy of such significance that we recommend that the Commission draw attention to it by proposing a Council Recommendation for consideration and adoption by the Member States.**
47. **While we recognise that there exist different models of sport across the EU we consider the practicalities of mainstreaming to be an area where sharing best practice among Member States would be valuable. Member States could also usefully share information on their methods of increasing participation rates in sport, particularly among under-represented groups.**
48. **The Commission acknowledges the potential of sport in delivering social objectives. However, wider scale studies could usefully be undertaken on social returns. If these were to be convincingly demonstrated they would provide a compelling argument for sport to be further integrated into wider policy making and delivery at both EU and Member State level whilst also strengthening the case for financial investment. We recommend that social returns be specifically included in the Commission's work on evidence-based policy making and work with academia, both of which are action points in the recent Communication. We recommend that the Commission work with Member States and the relevant working groups to identify appropriate data sets in relation to both economic and social aspects of sport and subsequently facilitate work to analyse these.**

## CHAPTER 4: FUNDING AND SUPPORTING GRASSROOTS SPORTS

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49. In order to deliver on its potential, grassroots sport needs to be adequately supported and resourced. This chapter examines how the EU can act in two fields, volunteering and financial support, which we consider to be essential for the successful delivery of grassroots sports. The EU impacts on financial support for grassroots sports in three main ways. In increasing order of financial significance these are: through a dedicated sports funding programme (yet to be agreed); through other EU funds, including the structural funds; and through regulatory impact on income derived from the sale of intellectual property rights, principally media. These are considered in turn.

### Volunteering

50. Grassroots sport is heavily reliant on volunteers. Ninety percent of grassroots sport clubs use volunteers with an average of 21 per club and more people in the UK volunteer in sport than in any other sector.<sup>74</sup> In football alone, the FA estimate there are over 400,000 volunteers.<sup>75</sup> The Football Foundation stated “quite simply, volunteers are the life-blood of everything we do.”<sup>76</sup> In addition to ensuring that grassroots sport can be delivered, a number of witnesses highlighted how volunteers can also provide a valuable extra dimension to activities, serving as community role models<sup>77</sup> or by providing opportunities for inter-generational interactions.<sup>78</sup> As discussed in chapter 2, many of the benefits of participating in grassroots sport also extend to volunteers.
51. Some witnesses expressed the view, repeated by the Minister, that volunteering is essentially a national, indeed, local activity.<sup>79</sup> However, our evidence suggested a number of ways in which the EU might use its new competence in order to encourage and support volunteering.
52. Regulatory burdens were seen as one of the greatest threats to volunteering. The experience of the EFDS was that “even small increases in administrative burdens can have a devastating effect on a club’s ability to recruit and retain volunteers”<sup>80</sup> and this was a view shared by the majority of our witnesses.<sup>81</sup> The Government stressed that factors associated with individuals choosing to volunteer or not were complex in nature but agreed that there was some evidence that the bureaucratic load was deterring some volunteers.<sup>82</sup> The Minister, along with others such as the Sport and Recreation Alliance, believed that a review of EU legislation impacting on volunteers would be a

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<sup>74</sup> GSEU 1

<sup>75</sup> GSEU 16

<sup>76</sup> Q 107

<sup>77</sup> GSEU 11

<sup>78</sup> GSEU 30

<sup>79</sup> GSEU 1, Q 230

<sup>80</sup> GSEU 14

<sup>81</sup> For example GSEU 1, GSEU 27, GSEU 7

<sup>82</sup> Q 234

constructive way forward.<sup>83</sup> We discuss more widely the desirability and functioning of mechanisms through which the Commission can consider the impact of general legislation on sport in chapter 5.

53. The Commission Communication addresses the issue of volunteering primarily through the proposal to “support the inclusion of sport-related qualifications when implementing the European Qualifications Framework”<sup>84</sup> and to “promote the validation of non-formal and informal learning gained through activities such as voluntary activity in sport.”<sup>85</sup> We heard evidence that these actions would be welcomed by grassroots sports organisations and were aligned with the aspirations of volunteers. The Football Foundation highlighted the findings of research they had conducted into volunteers, explaining that “what they are looking for is quite simple. They are just looking to feel valued, to move forward and be trained in the area in which they volunteer ... it is a question of providing opportunities and, perhaps, funding for people to go on courses, whether they are on book-keeping or simply sports and recreational development.”<sup>86</sup> The Volunteer Coordinator we spoke to in the course of our visit to Swiss Cottage School also stressed that the opportunity to up-skill and gain qualifications was one of the key factors in attracting volunteers. Other bodies stressed the importance of personal development in addition to formal training.<sup>87</sup> The Government expressed their support for the Communication’s proposals in this area.<sup>88</sup>
54. In addition to the actions proposed in the Communication, the Commission highlighted work being done to promote and validate learning as part of the 2011 EU Year of Volunteering. These include a proposed Council Recommendation, the establishment of Europe-wide networks for cooperation to enable better training and accreditation of volunteers and the introduction of a European Skills Passport to enable people to record skills acquired through volunteering.<sup>89</sup>
55. The Commission have also supported volunteering projects through the Preparatory Actions. Sport Wales described one such project they are involved in, led by the Flemish Sports Federation, which aims to consider the existing knowledge base regarding volunteering, to develop it further through exchange and to spread best practice.<sup>90</sup> Other witnesses similarly highlighted the potential for the EU to add value to their work by championing best practice across the EU in areas such as engaging and retaining volunteers in sport.<sup>91</sup> In his evidence to us, the Minister focused on initiatives to increase volunteering as part of the London 2012 Olympic Games rather than on any EU dimension.<sup>92</sup> However, the Minister had

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<sup>83</sup> GSEU 1, QQ 10, 234

<sup>84</sup> The European Qualifications Framework (EQF) “acts as a translation device to make national qualifications more readable across Europe with the aim of promoting workers’ and learners’ mobility between countries and facilitating their lifelong learning.” [http://ec.europa.eu/education/lifelong-learning-policy/doc44\\_en.htm](http://ec.europa.eu/education/lifelong-learning-policy/doc44_en.htm)

<sup>85</sup> EM 5597/11

<sup>86</sup> Q 107

<sup>87</sup> GSEU 35

<sup>88</sup> EM 5597/11

<sup>89</sup> Q 185

<sup>90</sup> Q 221

<sup>91</sup> GSEU 29

<sup>92</sup> Q 229

previously noted that the EU could usefully develop “better evidence on how major international sporting events can be translated into lasting participation and further encouragement for professional sports to play their part in boosting participation.”<sup>93</sup> It may therefore be that lessons learnt regarding how to increase and retain the number of volunteers could form part of this. The functioning of various mechanisms for the sharing of best practice is discussed further in chapter 5.

56. It is clear to us that volunteering is vital to the success of grassroots sport. **The Commission should recognise the importance of recruiting and retaining volunteers, ensuring future legislation does not adversely impact on volunteers.** Our recommendations in chapter 5 are pertinent in this respect.
57. The opportunity to gain skills and qualifications through volunteering is an important factor in attracting and retaining volunteers. Volunteering also has the potential to contribute to Europe 2020 objectives, assisting individuals into education and training. **We welcome the proposals to incorporate sport-related qualifications when implementing the European Qualifications Framework and to promote and recognise formal and informal learning gained through volunteering.**
58. **Volunteering is an area which could benefit from the sharing of best practice at a European level and the Commission should facilitate this.**
59. **We consider the EU Year of Volunteering to be a valuable platform for promoting volunteering in sport and considering how to create a favourable climate for it. The integration of sport into such initiatives is important, recognising the ability of sport to contribute to a wide range of policy objectives.**

### Sports Programme

60. A full Sports Programme, a dedicated funding stream for sport, has yet to be agreed. However, a Preparatory Action programme was launched in 2009 to cover the period until 2012. Preparatory Action programmes can run for a maximum of three years and are designed to pave the way, in terms of good practice and analysis, for bigger programmes. Special annual events such as the Mediterranean Games and the Special Olympics<sup>94</sup> were also funded from this budget. A requirement of funding was that projects have a transnational network from a minimum of five Member States. Two examples of projects funded under the Preparatory Actions are provided in Box 4. The initial intention was that this would be followed by a two year mini-programme covering the years 2012 and 2013 before a full programme in 2014. However, the mini-programme has since been cancelled. Decisions on the future, structure and priorities of the programme from 2014 have yet to be taken but there is an understanding that resources are not likely to be great.<sup>95</sup> Excluding money dedicated to supporting events, the Preparatory Actions had a budget of €7.5 million.

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<sup>93</sup> <http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-social-policy-and-consumer-affairs-sub-committee-g/scrutiny-work1/correspondence-with-ministers/>

<sup>94</sup> Olympics for those with intellectual difficulties. See [www.specialolympics.org](http://www.specialolympics.org)

<sup>95</sup> For example Q 195



61. In its Communication the Commission set out a number of areas in which it proposes to fund transnational projects. These include:
- Health enhancing physical activity
  - Participation in sport of people with disabilities
  - Women's access to leadership positions in sport and access to sport for women in a disadvantaged position
  - Social integration of vulnerable and disadvantaged groups

#### **BOX 4**

##### **Examples of projects funded under the Preparatory Actions**

###### **Women's International Leadership Development Programme<sup>96</sup>**

UK partner, Sport and Recreation Alliance

The aim of this project is to increase women's access to decision-making positions in sport, train future women leaders, provide an information platform to help create future projects and analyse the current status of women in leadership positions in sport. It also aims to create a multi-media platform from which partner countries can continue training programmes after the project is completed.

###### **All for Sport for All: perspectives of sport for people with a disability in Europe<sup>97</sup>**

UK partner, sportscotland

This project aims to assess the state of sport for people with disabilities, and consider issues including levels of participation, infrastructure and events.

62. Whilst the Government stressed that they had yet to take a financial decision on a Sports Programme, they expressed a certain degree of scepticism as to its potential value. They made particular reference to the transnational requirement, commenting that "although this may be effective in showing additional 'European' value, it does not add much value in terms of grassroots participation."<sup>98</sup>
63. By contrast, many of our witnesses highlighted the benefits of transnational links and expressed enthusiasm for developing them. Some organisations had already developed, independently of the EU, their own informal links with similar groups in other Member States. For example the Dudley Community Sport and Physical Activity Network drew attention to the longstanding partnership between Sport Dudley and Bremen Sportjugend in Germany and how their exchange programme over the course of 30 years had managed to engage a number of sports clubs and highlight models of best practice.<sup>99</sup> The Dwarf Sports Association UK also highlighted the value of their interactions with similar organisations elsewhere including the holding of world games and the sharing of best practice. They considered that such links contributed

<sup>96</sup> GSEU 1

<sup>97</sup> GSEU 5

<sup>98</sup> GSEU 9

<sup>99</sup> GSEU 10



to broader aims promoted by the EU such as a shared sense of belonging and participation, a view shared by the Rugby League European Federation.<sup>100</sup>

64. The Commission was keen to stress that it would only support projects where there was clear EU added value, and that an impact assessment for a future funding programme was currently underway. Mr Paulger also commented that the financial pressures on the budget would mean that there would be competition for resources and that projects would only be funded where there was a strong case for doing so. However, he believed that the pilot projects had demonstrated real added value.<sup>101</sup>
65. Many witnesses, though, found the logistics of fulfilling the transnational requirement problematic and argued that it acted as a disincentive, being both costly and administratively burdensome, particularly for smaller grassroots organisations. The LTA described it as “onerous and prohibitive given the relatively small level of funding available”<sup>102</sup> and the Sport and Recreation Alliance felt that whilst such projects strengthened the “European framework in sport” it meant that some resources were diverted from the grassroots where they could be more beneficially spent.<sup>103</sup> The practical difficulties of making such links were emphasised by Sport Wales which suggested that there was a danger of partnerships being formed which were not necessarily the most productive.<sup>104</sup> How links and networks can best be formed between grassroots organisations, including in order to satisfy the transnational requirement within any Sports Programme, is discussed further in chapter 5.
66. Regarding the future structure and priorities of a Sports Programme, a number of witnesses argued that there needed to be a clearer focus on and requirement to demonstrate value to grassroots sports than had been the case with the projects under the Preparatory Actions. The Sport and Recreation Alliance suggested that “all funding through the sports programme should be required to demonstrate both pan-European value and a clear grassroots element” whilst The European Non-Governmental Sports Organisation (ENGSO) were keen to ensure that the funding be equally as accessible to smaller and medium sized organisations and initiatives.<sup>105</sup>
67. ENGSO also highlighted that whilst they considered the Preparatory Actions had been useful for the Commission, “a thorough analysis of the projects would be needed in order to really enable contributions to the preparations of the EU Sports Programme.” They expressed concern that timings of proposals may mean that it is difficult for this to be done in time to impact upon the programme for 2014.<sup>106</sup>

### Mainstreaming sport into EU funding

68. There are a number of different EU funding streams to which sports projects are eligible to apply. These are set out in Box 5. Many of these funding

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<sup>100</sup> GSEU 4, GSEU 26

<sup>101</sup> Q 195

<sup>102</sup> GSEU 27

<sup>103</sup> GSEU 1

<sup>104</sup> Q 225

<sup>105</sup> GSEU 30

<sup>106</sup> GSEU 30

streams have significantly greater resources than would be allocated to a dedicated Sports Programme and thus can be considered to offer greater potential to grassroots sports in terms of levels of funding. In addition, the majority of these funds do not require transnational networks.

### BOX 5

#### **Funding streams for which sports projects are eligible to apply<sup>107</sup>**

- Europe for Citizens
- European Integration Fund
- European Qualifications Framework
- European Social Fund
- European Regional Development Fund
- Life-long Learning Programme
- Youth in Action
- PROGRESS (for projects supporting EU objectives in the field of employment and social affairs including gender equality and social inclusion)
- DAPHNE III (for projects contributing to the protection of children, young people and women against violence)
- Fundamental Rights and Citizenship
- Prevention and Fight against Crime
- LIFE + (for environmental projects)

69. The availability of these funds was welcomed by our witnesses, although the Sport and Recreation Alliance felt that some of the streams highlighted in the White Paper held limited potential for sport in practice.<sup>108</sup> A number of suggestions were made by witnesses of ways in which such funding streams could be used to support the priorities identified in chapter 2. The RFU recommended that greater use should be made of the structural funds to make facilities more accessible to under-represented groups and disadvantaged communities<sup>109</sup> whilst StreetGames highlighted use of the European Social Fund in projects assisting individuals to make the transition into work.<sup>110</sup> Where organisations had experience of funding through other streams they were generally positive.<sup>111</sup> However, there was widespread feeling that more could be done to integrate sport into these streams.<sup>112</sup> The Government commented that “so far, sport has not really been able to exploit these available funds.”<sup>113</sup> The Sport and Recreation Alliance drew

<sup>107</sup> Funding streams explicitly mentioned in the 2007 White Paper. Cited in GSEU 1

<sup>108</sup> Q 16

<sup>109</sup> GSEU 7

<sup>110</sup> Q 15

<sup>111</sup> Q 15, Q 126

<sup>112</sup> For example GSEU 1, GSEU 11, GSEU 27, GSEU 30, Q 162

<sup>113</sup> GSEU 38

attention to the fact that sport is not mentioned in the Leonardo or Comenius programmes or in the 2010 and 2011 work programmes of Europe for Citizens. They also suggested that there had been retrograde steps in the last few years, with sport being removed from funding priorities within several programmes.<sup>114</sup>

70. The Commission dismissed fears that a dedicated funding stream for sport could lead to the marginalisation of sport in other funds. Mr Paulger believed that a Sports Programme “would be a sort of recognition that would help in the mainstreaming of sport.”<sup>115</sup> He provided an example of the Commission’s active consideration of where mainstreaming could take place, saying that they intended to propose that sport be an annual priority within the Youth in Action programme in 2012 and 2013.<sup>116</sup> The Government found this “encouraging,” telling us that “where there are opportunities to mainstream within funds, we will continue to press for those.”<sup>117</sup>
71. **Whilst we accept that the resources are likely to be small, we nevertheless believe there to be value in a Sports Programme and in the transnational links it promotes. In particular, we support the funding of projects in the areas outlined in the Commission’s Communication as in line with areas where evidence shows sport can deliver significant outcomes against wider policy objectives.**
72. Creating the right transnational networks will be crucial to the success of a Sports Programme. **We urge the Commission to learn lessons from the Preparatory Actions and in particular to explore how the transnational requirement can be made easier for grassroots organisations to fulfil.**
73. In light of the wide range of policy objectives which sport can deliver, general EU funding streams offer significant potential to grassroots sports. Many of these streams have significantly greater resources than would be available through a dedicated Sports Programme. **The existence of any specific funding stream for sport should not mean that it is marginalised in other funds. Indeed, sport should be further integrated into EU funding streams. We welcome the Commission’s commitment to the principle of mainstreaming sport in funding but found the evidence of the Sport and Recreation Alliance, that in recent years sport has been marginalised in many funds it is eligible to apply to, worrying. We hope that the EU’s new formal competence in sport will help redress this situation.**

#### **Funding for grassroots sports from the sale of intellectual property rights**

74. In its Communication, the Commission noted that revenue derived from the exploitation of intellectual property rights in sport is often partly redistributed by professional sports to grassroots sport.<sup>118</sup> The primary source is the sale of broadcasting rights, as we were told by the Sport and Recreation

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<sup>114</sup> GSEU 21. Leonardo and Comenius are part of the Lifelong learning Programme. See Box 5.

<sup>115</sup> Q 196

<sup>116</sup> Q 196

<sup>117</sup> Q 263

<sup>118</sup> COM 5597/11

Alliance.<sup>119</sup> Another source of funding highlighted in the Commission's Communication is gambling activities—both sport betting and lotteries. In order better to understand the issues surrounding the financing of sport from the sale of intellectual property rights, the Commission has launched a study on the funding of grassroots sport.<sup>120</sup>

## BOX 6

### Sale of broadcasting rights in sport—the issues unravelled

#### **Territoriality**

According to this principle, a sporting event has a different value according to where it is broadcast—for example a match between two French clubs is likely to command a higher price in France than in the UK—and the rights to show it may therefore be sold for broadcast exclusively in the territory of one Member State.<sup>121</sup>

#### **Collective selling**

This allows an organisation such as the Premier League to sell its matches collectively (rather than by each club individually), and the revenues to be re-distributed among the clubs and to grassroots sport.<sup>122</sup> To limit the anti-competitive effects of such exclusivity, the European Commission requires the collective selling entity to unbundle the media rights into separate packages thus ensuring more than one broadcaster per territory has access to the rights.<sup>123</sup>

#### **Piracy**

Clubs and organisations are increasingly concerned about the growth in digital piracy of sporting events.

### Broadcasting rights

75. Our evidence indicated that grassroots sport receives considerable funding from the sale of broadcasting rights. In December 2010 the Sport and Recreation Alliance introduced a Code of Conduct under which several major sports in the UK committed to ensuring that at least 30% of the net revenues derived from selling the UK broadcasting rights to their events are reinvested in grassroots sport.<sup>124</sup> This proportion rose in December 2010 from the previous 5%, a six-fold increase on the previous commitment. It is estimated that the new code should provide around a quarter of a billion pounds a year to UK sport.<sup>125</sup> The Minister described the code as “entirely the right

<sup>119</sup> GSEU 1

<sup>120</sup> Q 172

<sup>121</sup> The Advocate General in Cases C-403/08 & C-429/08 argued that territorial exclusivity amounts to a restriction on the right to provide services by partitioning the internal market into separate national markets.

<sup>122</sup> Collective selling is compatible with EU law. See case 37398 (UEFA Champions League), case 37214 (German Bundesliga) and Commission press release IP/06/356 (FA Premier League).

<sup>123</sup> See case 37398 (UEFA Champions League), case 37214 (German Bundesliga) and Commission press release IP/06/356 (FA Premier League). It should be noted that exclusivity is further restricted as Member States may list particular events (such as the World Cup) as of national significance, ensuring that the public has access to these major events on free-to-air television. A listed event must be available on free-to-air even if the exclusive rights have been purchased. The General Court of the European Union ruled recently on this issue: Cases T-385/07, T-55/08 and T-68/08 FIFA and UEFA v Commission.

<sup>124</sup> GSEU 1

<sup>125</sup> Signatories: FA, LTA/All England Lawn Tennis Club, ECB, UK Athletics, Premier League, RFL, R&A and PGA European Tour. <http://www.sportandrecreation.org.uk/news/22-12-2010/major-sports-commit-putting-30-broadcast-revenues-grassroots>

direction of travel.”<sup>126</sup> Best practice such as this might be shared at the EU level, suggested the Sport and Recreation Alliance. They proposed that non-profit sports organisations across the EU look specifically at grassroots funding.<sup>127</sup>

76. Representatives of tennis, rugby union and football all confirmed the importance of the sale of broadcasting rights for their contribution to grassroots organisations. The LTA noted that the Wimbledon championships “generate a substantial percentage of our sport’s income that we are then able to invest ... into the grassroots of our sport.” All of those representatives agreed that the particular value lay in live sport. This was part of the Football Association’s “virtuous circle”, whereby live sport generates interest and encourages participation, which then further enhances the value of the live sport and the amount of funds generated for distribution to grassroots sport.<sup>128</sup> The Football Foundation described itself as a “good example of how TV rights money ... is a successful model of funding grassroots sport.”<sup>129</sup>
77. On behalf of its wide membership of sporting organisations, the Sport and Recreation Alliance called for the principle of collective selling to be safeguarded (see Box 6).<sup>130</sup> In its Communication, the Commission noted that collective selling inherently restricts competition within the meaning of the Treaty but that it brings advantages which outweigh the negative effects, and can therefore meet the criteria for an exemption under the Treaty.<sup>131</sup>
78. The Communication by contrast is silent on territoriality. The Sport and Recreation Alliance emphasised that it wanted “to keep television rights territorially specific to the UK because we are concerned that if it becomes pan-European, it becomes more difficult” to distribute funding to grassroots<sup>132</sup> and the Premier League noted that there was little appetite among broadcasters for pan-European rights.<sup>133</sup> In the course of our inquiry, the Advocate General of the European Court of Justice issued an opinion in favour of a UK pub landlady who had purchased a Greek decoder card in order to access foreign satellite transmission of Premier League matches rather than pay for a subscription in the UK.<sup>134</sup> Commenting on the Opinion, the Minister cautioned that the implications were unclear but noted that if there were to be an overall fall-off in revenue “there is no doubt that that will impact on the grassroots.”<sup>135</sup>
79. We heard some calls by sporting organisations for future EU policy work to defend sports property rights. It was clear, though, that new regulation would not be welcome at the EU level and that there was support for each Member

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<sup>126</sup> Q 239

<sup>127</sup> Q 33

<sup>128</sup> QQ 72, 76

<sup>129</sup> GSEU 20

<sup>130</sup> GSEU 1

<sup>131</sup> TFEU Article 101(3)

<sup>132</sup> Q 25

<sup>133</sup> GSEU 17

<sup>134</sup> Cases C-403/08 *Football Association Premier League Ltd & Others v QC Leisure and Others* and C-429/08 *Karen Murphy v Media Protection Services Ltd*, 3 February 2011. The Opinion of the Advocate General is non-binding.

<sup>135</sup> Q 242

State being free to pick the rules that best suit their countries in terms of funding grassroots sports.<sup>136</sup> The Commission pointed out that in any event the new Treaty article would require EU institutions to take into account the specificity of the sports sector, adding that this would apply to competition issues. In their evidence, the Government were clear that it is a supporting competence and thus did not oblige the institutions to take account of sport, a view shared by the Sport and Recreation Alliance.<sup>137</sup> The concept of the specificity of sport is outlined in Box 7.

### BOX 7

#### Specificity of Sport

The Treaty explicitly recognises the specific nature of sport. This is significant in that it could be used to justify the partial exemption of sport from the principles of EU law in certain areas, such as free movement and competition. Sports stakeholders hoped that the creation of a treaty base for sport would mean that this would allow the Court of Justice and other European institutions to recognise sport's specific nature more systematically.

Examples of the specificity of sport previously cited by the Commission include:

- the autonomy and diversity of sport organisations
- solidarity in sport
- the organisation of sport on national basis
- the principle of a single federation per sport
- the pyramid structure of sport, from grassroots to elite level.<sup>138</sup>

Whilst it is widely accepted that in some instances sport operates under different conditions to those found in normal industries, the boundaries of the specificity of sport are contested. The Court of Justice has had an important role in contributing to the debate on what constitutes the specificity of sport but the Commission, Member States, the European Parliament, sports stakeholders<sup>139</sup> and the Court of Arbitration for Sport have all had input too.

80. Finally, there were calls for Article 165 to be used to tackle the increase in the number of websites making sports content available illegally, and such content being shared among users. The Premier League argued that the Commission should use Article 165 “to work on initiatives to protect the content industry in general.” Otherwise, they warned, redistribution mechanisms would dry up and Europe would lose its leading position in the market for the creation of audiovisual content.<sup>140</sup> The Premier League and the Sport and Recreation Alliance particularly hoped that Article 165 would

<sup>136</sup> GSEU 1, GSEU 7, QQ 27, 143

<sup>137</sup> QQ 203, 249, GSEU 1

<sup>138</sup> COM (2007) 391

<sup>139</sup> For example, the agreement between FIFPro Division Europe (professional footballers' union) and UEFA (European football governing body) on the definition of the specificity of sport (football).

<sup>140</sup> Although sport is distinct because much of its value lies in the live broadcasting, other industries such as film and music have a similar interest in these issue. As highlighted by the House of Lords Communications Committee, this is an area where there are legitimate business and consumer interests to be balanced (para 136, Communications Committee, 1st Report (2009-10): *The British film and television industries-decline or opportunity?* (HL Paper 37)).

help to ensure that sport was considered within EU discussions<sup>141</sup> on copyright and content distribution in the EU.<sup>142</sup> The RFU noted that piracy prevented the full value of an event accruing to the sport.<sup>143</sup>

### Lotteries and gambling

81. A number of different countries use national lotteries to fund grassroots sports.<sup>144</sup> Our evidence did not question this source and use of funding. Debate centred on whether a proportion of profits derived from betting on sports should be invested into grassroots sport. France has introduced such a levy. A set percentage of money derived from betting transactions is paid into a fund and is then allocated by the French government among grassroots sports.<sup>145</sup> Owners of sports rights and their representatives recommended that other Member States, including the UK, consider the introduction of a similar statutory framework.<sup>146</sup> In advocating this approach, witnesses argued that it would represent a fair market return for the use of sporting competitions on which betting is based, and that it would improve the integrity of sporting competitions by acting as a disincentive to fix matches.<sup>147</sup>
82. In response, Party Gaming, an online gaming company, dismissed the idea that there was a link between a sports' rights levy and integrity and regretted that there had not been any balanced consultation on the issue. It argued that a levy on regulated betting operators would reduce the availability of options on peripheral and less popular events, thus forcing consumers to use unregulated operators and possibly damaging the integrity of those events. In terms of whether betting companies should offer a "fair return" to sport, Party Gaming was clear in its view that the gambling industry "has little or nothing to do with grassroots sport." It made the point that other industries, such as news and clothing, also derive an income from sport but have not been asked to pay such a "fair return."<sup>148</sup>
83. Interestingly, Betfair, an online gambling company, believed by contrast that all licensed gambling companies "have a responsibility to put something back into the community" and recommended that the idea of such schemes across the industry "be developed further." However, it stressed that this should be a voluntary arrangement and that the EU should not involve itself in any statutory arrangements for the funding of sport. For its part, Betfair invested at least £40,000 per annum in grassroots sports clubs through its "Cash 4 Clubs" programme. As an international company, operating across the EU, it was considering the possibility of extending the scheme elsewhere in Europe, but it noted that there were a range of considerations to be taken

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<sup>141</sup> Proposals for a Framework Directive on the management of copyright - to open up access to online content by improving the governance, transparency and electronic management of copyright - are due to be published in 2011.

<sup>142</sup> GSEU 1, GSEU 17

<sup>143</sup> Q 78

<sup>144</sup> For example Finland and the UK Q 27, GSEU 29

<sup>145</sup> Q 27

<sup>146</sup> GSEU 1, GSEU 7, QQ 87-88, GSEU 17

<sup>147</sup> Q 78, GSEU 17

<sup>148</sup> GSEU 18



into account before doing so. These included partnership with a relevant body; resources; and public relations activity.<sup>149</sup>

84. On the subject of a possible EU response, Keith Newman of the EU Sports Platform told us that there was a “discussion” in Brussels on a fair return from gambling.<sup>150</sup> This was confirmed by the European Commission which told us that it was preparing a Green Paper regarding online gambling in the internal market, which would include consideration of re-investment by betting operators in sport. It might lead to legislation on the subject.<sup>151</sup>
85. It is clear to us that the sale of broadcasting rights provides an important source of income for some grassroots sports. **We were pleased to note the recent strengthening of the UK Sport and Recreation Alliance’s voluntary Code of Conduct on the reinvestment of broadcasting revenues into grassroots sports. Such models of good practice could usefully be shared among Member States, and a Council Recommendation might be considered to achieve this.**
86. Commercial arrangements have developed allowing sports to derive substantial income from broadcasting, namely collective selling and territoriality. Both have been the focus of attention for their compliance with the competition and internal market aspects of EU law. In our evidence, we heard a difference of views on the extent to which Article 165 requires the specific nature of sport to be taken into account when assessing such arrangements for compliance with EU law. **We conclude that the inclusion of the specificity of sport in the Article and therefore in the Treaty may inform the EU’s legal assessment of commercial arrangements, such as collective selling of broadcasting rights and territorial restrictions, which often lead to the re-investment of revenues at the grassroots.**
87. **We welcome the Commission’s recognition in its Communication of the potential benefits to be derived from collective selling, while complying with competition law. On territoriality, we take note of the Advocate General’s recent Opinion, in which the principle was not upheld, and observe that the implications for the funding of grassroots sports, if supported by the Court, are not clear.**
88. **As case law develops following the entry into force of the Lisbon Treaty, we recommend that the Commission analyses the Court’s judgments relating to the specific nature of sport within Article 165, with a view to producing its own interpretation of the principle. This, we consider, would offer a useful basis for further discussion and movement towards a consensus among the other EU institutions and stakeholders.**
89. Digital piracy of sporting events is clearly a matter of concern. **We recommend that sport be included within the Commission’s work on the Digital Agenda, including its forthcoming Proposal for a Framework Directive on the management of copyright.**

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<sup>149</sup> GSEU 12

<sup>150</sup> Q 172

<sup>151</sup> Q 206, COM (2011) 128

[http://ec.europa.eu/internal\\_market/consultations/docs/2011/online\\_gambling/com2011\\_128\\_en.pdf](http://ec.europa.eu/internal_market/consultations/docs/2011/online_gambling/com2011_128_en.pdf)



90. Our evidence was divergent on the question of requiring the gambling industry to pay a fair return for its use of sports' intellectual property. **The Commission should analyse the evidence in this area, particularly the levy introduced by the French government and with reference to the results of the forthcoming study on the funding of grassroots sport.** Some witnesses were concerned that consultation has been unbalanced. **We recommend that the Government and the Commission consult both sports bodies and the industry on the merits of such a system.**
91. Online gambling services do not respect national borders, and may often be based outside the EU. Should concerns be identified and upheld, including in relation to the link between gambling and the funding of grassroots sport, there might consequently be a case in principle for the EU to act. **Any future EU action relating to online gambling services in the Internal Market should address sport, and particularly the funding of grassroots sport, into account.**

## CHAPTER 5: EFFECTIVE AND REPRESENTATIVE DIALOGUE

92. Effective channels of dialogue are essential to ensure successful policy making and delivery at both EU and Member State level. First we examine dialogue across the different policy areas within the Commission which is important to ensure legislation does not unintentionally adversely impact upon sport. Second, we consider dialogue and communication between the Commission and stakeholders, including Member States. This is essential to ensure both that EU sports policy reflects the experiences and concerns of grassroots organisations and that grassroots organisations are aware of, and able to make use of, the opportunities the EU's competence offers them. Finally, we consider dialogue between grassroots sports organisations in different Member States which can make the delivery of sport more effective through the sharing of experience and best practice whilst also promoting the European dimension mentioned in the Treaty.

### Mainstreaming within the Commission

93. We heard from a number of witnesses how sport is vulnerable to the unintended consequences of EU legislation in other policy areas. The Government told us that “too often the result has been that the impact on sport of planned or inadvertent policy change is not taken into account, or has to be mitigated at the last moment.”<sup>152</sup> The Government and the Sport and Recreation Alliance provided us with examples of where this had taken place. These included regulations on the use of open water and working at height which would have impacted adversely on climbing and water sports.<sup>153</sup> The Government highlighted work they had commissioned to identify regulatory burdens in UK law which impacted upon sport. Areas being examined included regulations around training, health and safety, sports clubs, facilities and access, finance and taxation. The Minister agreed with the Committee's suggestion that such a review could usefully be undertaken of existing EU legislation.<sup>154</sup>
94. It is clearly preferable to identify potential problems upstream, before legislation is enacted. The Government described the limitations of a supporting competence in this respect: “one of the realities of Article 165 is that it does not create a full, formal, official harmonising and regulating competence for sport. The consequence of that is that the Sport Unit cannot use Article 165 to say to other bits of the Commission that they must take account of sport and their laws and regulations must be different.”<sup>155</sup> However, the Government believed that the Commission's Sport Unit took the matter very seriously and that there was no lack of “ambition or appetite.”<sup>156</sup> The Commission themselves highlighted impact assessment as the process specifically intended to address such issues.<sup>157</sup> Although this is an

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<sup>152</sup> GSEU 9

<sup>153</sup> Q10, GSEU 38

<sup>154</sup> Q 234. The UK Review was published on 22 March 2011 and highlighted EU data protection and aviation legislation as areas of concern.

<sup>155</sup> Q 249

<sup>156</sup> Q 250

<sup>157</sup> Every EU proposal should be subject to an impact assessment, which is checked by the Commission's own Impact Assessment Board. For further information see European Union Committee, 4th Report (2009-10): *Impact Assessments in the EU: Room for Improvement?* (HL Paper 61)

established practice, the Commission's view was that the new competence would enable them to use this process "more effectively."<sup>158</sup> Structured dialogue with stakeholders is also important in this process.

### Dialogue with the Commission

95. Since the 2007 White Paper the Commission have committed to regular structured dialogue with sports stakeholders. Article 165 formalises this, making specific mention of developing the European dimension in sport by promoting "cooperation between bodies responsible for sports."<sup>159</sup> Different forms of dialogue are set out in Box 8. Many of our witnesses felt there was significant scope for improvement in the way these function, to enable them to deliver more effectively for grassroots sports.

## BOX 8

### Forms of Dialogue

#### EU Sport Forum

An annual gathering of sports stakeholders organised by the Commission and designed to promote broad debate and discussion on European sporting issues.

#### Thematic Dialogue

Discussions between the EU and sport stakeholders with a more limited number of participants on specific issues.

#### Bilateral Dialogue

Discussions between the Commission and individual sports bodies.

#### Social Dialogue

Discussions and potentially joint actions facilitated by the Commission but involving organisations representing the two sides of industry, namely employers and workers (clubs and athletes).

#### Expert Working Groups

There are currently 6 working groups divided by subject area. These are: sport and health, sport and economics, non-profit sport organisations, anti-doping, education and training in sport and social inclusion and equal opportunities in sport.

#### Other forms of dialogue

These include consultation conferences, consultation exercises and the Sport Unit's webpages.

96. Many of our witnesses felt that while dialogue functions well as far as it extends it is not fully representative of the whole spectrum of sport. The Sport and Recreation Alliance described the Sport Forum as being dominated by football organisations and "those with the most money at a European level." Whilst they also appreciated the difficulties faced by the Commission, for example in finding speakers who had understanding of

<sup>158</sup> Q 207

<sup>159</sup> TFEU Article 165 (2)

- sport in the EU context, they nevertheless felt that the Commission should be encouraged “to move away from the professionalisation and the footballisation at the European level and look at grassroots sport in particular.”<sup>160</sup>
97. Emma McClarkin MEP, who represented the European Parliament’s Culture and Education Committee at the first formal structured dialogue with sport stakeholders to be held under each presidency told us of a similar sense of a “lack of a real grassroots voice.”<sup>161</sup> Whilst she acknowledged the difficulties the Commission faced she argued that a select group of “mainly football and Olympic organisations” lacked the requisite level of understanding of the practicalities of delivering grassroots sports.<sup>162</sup>
  98. With regard to the working groups, the Government have a policy whereby they send experts in each field to represent the UK. This is an approach broadly welcomed by UK stakeholders as constructive although it is not the practice followed by all Member States.<sup>163</sup> Sport England, which represents the UK on the Health and Social Inclusion and Equal Opportunities working groups, felt this limited the effectiveness of the groups, since best use was not always made of the pool of expertise across the EU. They suggested that working to clarify the purpose and outcome of these groups would make it easier for Member States to identify the most appropriate representative.<sup>164</sup> Sport England also felt it would be “immensely powerful” if smaller local groups from different Member States could be brought in on an *ad hoc* basis to participate in the groups and share their insights. This might for example include groups which had particular expertise in areas such as how to increase participation amongst certain groups.<sup>165</sup>
  99. The need to ensure that the right voices are heard means it is incumbent upon Member States to ensure that there is effective dialogue at a national level and that groups and organisations with relevant experience are provided with regular opportunities to feed into the process. The Minister drew attention to the EU Sports Stakeholder group which DCMS holds as part of this.<sup>166</sup>
  100. However we heard worrying evidence that sportscotland, Sport Northern Ireland and Sport Wales, despite a desire to engage in the process, felt they had not been provided with opportunities to do so. The Minister acknowledged that this was not a satisfactory situation and was able to reassure us that dialogue was being re-opened with sports ministers from the devolved assemblies who would meet in a UK Sports Cabinet.<sup>167</sup> It would then be incumbent upon the relevant ministers in the devolved assemblies to seek input.
  101. Whilst stressing that the working groups were constructive, Sport England suggested that improvements could be made to the way they functioned in

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<sup>160</sup> Q 33

<sup>161</sup> Q 148

<sup>162</sup> Q 149

<sup>163</sup> Q 260

<sup>164</sup> Q 58

<sup>165</sup> Q 58

<sup>166</sup> Q 260

<sup>167</sup> QQ 252, 254

order to make them “more focused on evidence, outcomes and intelligence.” They felt the groups “rather than meeting periodically, often just collating what is there and circulating that,” should be used to push forward understanding of outcomes and the evidence base, including commissioning and producing work where appropriate. The Sport and Recreation Alliance, which sits on the Non-Profit Sport Organisations Working Group, expressed similar views.<sup>168</sup>

### Improving access to EU funding through communication

102. As discussed in the previous chapter, there are a number of EU funding streams open to grassroots sports projects. However, some of our witnesses expressed concern that the application process was too complex, particularly for small community organisations<sup>169</sup> and that it was difficult to access information about what was available.<sup>170</sup> Jane Ashworth, Chief Executive of StreetGames, described the obstacles to smaller grassroots projects applying for EU funding as “fear and ignorance.”<sup>171</sup> The Commission appeared to be alive to these difficulties, telling us that “Brussels can appear to be a long way and is a long way away for a small organisation.”<sup>172</sup> They highlighted the tension they faced in this respect between the desire to make the process simpler and the need to be fully accountable for the use of public money.<sup>173</sup>
103. On the other hand Keith Newman of the EU Sports Platform offered some encouragement, arguing that the process of applying for funding was in reality not “quite as archaic or as difficult as it may seem to someone who hasn’t done it before or doesn’t have such an understanding of the process.” Mr Newman was also of the opinion that difficulties could be raised with the Commission, including through the Sport Forum which he described as a “very useful place for those kinds of questions and for those problems to be aired.”<sup>174</sup> This suggested that perhaps the most pressing issue was that of communication.
104. Mary Honeyball MEP believed that better use should be made of the internet and that “a publicity and awareness-raising programme is needed.”<sup>175</sup> The Commission explained how it considered that many of the difficulties were a result of the fact that sport was such a new competence. Greg Paulger explained that they hoped many of the current difficulties would be resolved if there were to be a full Sports Programme. This could then be accompanied by a communications infrastructure and simplified procedures, such as online tools, which would make funding more accessible to grassroots organisations.<sup>176</sup>
105. Member States also need to promote opportunities where they have networks in place. The Minister told us that the UK was currently considering how

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<sup>168</sup> Q 34

<sup>169</sup> QQ 111, 150, GSEU 22

<sup>170</sup> QQ 125, 224

<sup>171</sup> Q 126

<sup>172</sup> Q 201

<sup>173</sup> Q 197

<sup>174</sup> Q 174

<sup>175</sup> Q 163

<sup>176</sup> Q 197

best to do this.<sup>177</sup> Mr Paulger suggested that there might be lessons which could be learnt from other policy areas. He provided the example of how the MEDIA programme, aimed at strengthening the competitiveness of the European audiovisual industry, is promoted in the UK by means of a media desk, jointly funded by the UK and the Commission. Mr Paulger suggested that the Commission might consider proposing something similar in the case of a Sports Programme.<sup>178</sup>

106. Methods of assisting smaller organisations to apply for EU funding might also be considered a fruitful area for the sharing of best practice. For example, StreetGames described how it had been able to access funding through the Youth in Action programme due to the assistance of an outreach worker<sup>179</sup> whilst Sport Wales had run a workshop for organisations on how to access Leonardo funding.<sup>180</sup>

### Dialogue between grassroots organisations

107. We detected significant enthusiasm for the development and strengthening of pan-European networks between grassroots sports organisations. This would both enable the sharing of best practice and address the difficulties identified in chapter 4 regarding fulfilment of the transnational requirement in any funding programme.
108. One possible solution we discussed with witnesses, not currently being considered in Brussels, was a web-based tool. This suggestion was initially put to us by sportscotland who use such a method to connect the schools network in Scotland, allowing them to share practice and improve communication. Stewart Harris, Chief Executive of sportscotland, considered this to be “very effective” and suggested that it “would be useful for the EU to consider something similar.”<sup>181</sup>
109. The Minister stated that although he would not rule out the idea, he was “slightly nervous” of the suggestion. He expressed the view that webportals “normally end up costing a huge amount of money and, unless they are properly marketed, they sit there without the right sort of use.”<sup>182</sup> However, the majority of our witnesses expressed a different view, seeing value in the proposal. A number highlighted the value that the internet was already delivering for grassroots sports as a medium for the sharing of best practice. For example StreetGames described the user statistics for their website which revealed surprisingly high viewing rates given the small size of the charity, something they attributed to the availability of case studies, briefing papers and best practice on their website.<sup>183</sup> The Football Foundation also described how other organisations seeking to learn from their model, including transnationally, had made use of a similar facility on their website.<sup>184</sup>

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<sup>177</sup> GSEU 38

<sup>178</sup> Q 201

<sup>179</sup> Q 111

<sup>180</sup> Q 224

<sup>181</sup> Q 222

<sup>182</sup> Q 255

<sup>183</sup> Q 112, GSEU 34

<sup>184</sup> Q 112

110. There was a widespread desire amongst our witnesses for the EU to build on such methods, widening the knowledge pool accessible to grassroots organisations across Europe.<sup>185</sup> Although acknowledging that web-based tools had resource implications and to be effective needed to be monitored and updated, Paul Thorogood, Chief Executive of the Football Foundation, was convinced that web-based tools were “clearly the way to distribute best practice ... technology is critical to this area.”<sup>186</sup> Sport England told us “it would be an extremely useful resource and a catalyst for driving better evidence sharing”<sup>187</sup> whilst Emma McClarkin MEP described it as “a great idea” and believed it would be “a natural progression.”<sup>188</sup>
111. Mr Paulger also saw value in the proposal and told us that if there were the means, the Commission would initiate it. He also suggested that lessons could be drawn from other policy areas where best practice is shared via a European portal which “is not a vertical web, old-fashioned website where you can only access written documents, but it is something that is interactive, a bit like YouTube where you can get in touch with volunteers or groups in other countries, directly.”<sup>189</sup>
112. It is important to ensure that EU legislation and initiatives across the policy spectrum do not adversely affect sport. The Communication does not specifically address this aspect of mainstreaming, but we consider it vital to the effectiveness and success of sport in delivering policy objectives. **The Commission should make full use of the impact assessment process to safeguard against unintended damage to sport and we urge vigilance on the part of both the Commission and the Government. We consider it probable the new competence will add weight to this. The Commission should, in consultation with stakeholders, conduct a full review of existing EU legislation with a view to identifying existing regulatory burdens on sport. Particular attention should be given to those impacting upon volunteers, as recommended in chapter 4.**
113. **The various forms of dialogue between the Commission and stakeholders need to ensure that grassroots sport is adequately represented. The Commission should monitor the extent to which structured dialogue, including attendance at the Sport Forum, is representative, and should take remedial action as necessary. Where expanding the range of stakeholders would make dialogue unwieldy, the Commission should facilitate an exchange of views with sport on a theme by theme basis.**
114. Member States should be encouraged to seek the views of all relevant stakeholders. The DCMS EU Sport Stakeholder Group is a good example of this. However, we find it surprising that Sport England is represented whilst Sport Northern Ireland, sportscotland and Sport Wales are not. **We recommend they be invited to join the stakeholder group.**
115. Witnesses were critical of the composition and functioning of the working groups, although they acknowledged their potential. **The Commission**

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<sup>185</sup> For example QQ 152, 163, 222, Appendix 3

<sup>186</sup> Q 112

<sup>187</sup> Q 64

<sup>188</sup> Q 152

<sup>189</sup> Q 194

**should encourage Member States to give proper consideration to the most appropriate organisations or individuals to sit on the working groups. The participation of smaller specialist groups should also be encouraged on an *ad hoc* basis.**

116. **Further thought should be given to a more strategic and joined up approach to the different forms of dialogue between stakeholders and the Commission, for example using the Sport Forum as a medium to disseminate the findings and conclusions of the working groups to a wider audience.**
117. **We agree with witnesses that fulfilling the potential of the new Treaty competence relies on communication and inclusion.** Many grassroots sports organisations have a limited awareness of Brussels, and of the funding opportunities available. **We recommend that both the Government and the Commission give thought to how they can individually and jointly publicise the opportunities at EU level which are open to grassroots sports, including funding, opportunities for the sharing of best practice and dialogue with the Commission.**
118. **We recommend that the Commission establish a European webportal to facilitate the sharing of best practice and the formation of pan-European links between grassroots sports organisations.** Although we acknowledge the Minister's point regarding the need for it to be adequately publicised we consider there is sufficient evidence that such a tool would be welcomed by stakeholders, it would provide genuine EU added value, ensure accessibility by engaging grassroots sports at all levels and offer good value for money.



## CHAPTER 6: SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

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### Chapter 2: The societal role of sport

119. We believe that the EU could gain most from the new competence, particularly at a time of financial constraint, by regarding sport not as a peripheral policy area but as a powerful and effective tool in the delivery of objectives across the policy spectrum, notably in the health, social and educational spheres. We welcome the Commission's focus on this in the Communication (paragraph 25).
120. With particular regard to EU policy, sport can make a strong contribution to the achievement of three out of the five headline targets of the Europe 2020 Strategy, namely those on employment, education and poverty and social exclusion. Increasing levels of participation in grassroots sports should therefore be a priority in the field of sport for the Member States, and for the EU within the limits of its competence (paragraph 26).
121. Our evidence also highlighted that participation in sport can bring particular benefits to groups whose participation rates are lowest. These include women and girls, those with a disability, the unemployed, older people, migrant communities and those from disadvantaged communities. Particular effort should be devoted to increasing participation of these groups. We welcome the Commission's proposal to support projects promoting their inclusion (paragraph 27).

### Chapter 3: Integrating sport into policy making and delivery

122. We consider that the potential of sport to deliver on objectives across the policy spectrum, but particularly in the social sphere, has yet to be fully exploited by policy makers at both EU and Member State level (paragraph 44).
123. Whilst the Commission has had some success in integrating sport into other policies, for example including it in the Disability Strategy and the Strategy for Equality between Men and Women, further work is needed to ensure it is consistently mainstreamed across the work of all relevant Directorates General (paragraph 45).
124. It is also desirable that sport should be further mainstreamed into health, social and educational policies at Member State level. We consider this to be a policy of such significance that we recommend that the Commission draw attention to it by proposing a Council Recommendation for consideration and adoption by the Member States (paragraph 46).
125. While we recognise that there exist different models of sport across the EU we consider the practicalities of mainstreaming to be an area where sharing best practice among Member States would be valuable. Member States could also usefully share information on their methods of increasing participation rates in sport, particularly among under-represented groups (paragraph 47).
126. The Commission acknowledges the potential of sport in delivering social objectives. However, wider scale studies could usefully be undertaken on social returns. If these were to be convincingly demonstrated they would provide a compelling argument for sport to be further integrated into wider policy making and delivery at both EU and Member State level whilst also

strengthening the case for financial investment. We recommend that social returns be specifically included in the Commission's work on evidence-based policy making and work with academia, both of which are action points in the recent Communication. We recommend that the Commission work with Member States and the relevant working groups to identify appropriate data sets in relation to both economic and social aspects of sport and subsequently facilitate work to analyse these (paragraph 48).

#### **Chapter 4: Funding and supporting grassroots sports**

127. It is clear to us that volunteering is vital to the success of grassroots sport. The Commission should recognise the importance of recruiting and retaining volunteers, ensuring future legislation does not adversely impact on volunteers. Our recommendations in chapter 5 are pertinent in this respect (paragraph 56).
128. The opportunity to gain skills and qualifications through volunteering is an important factor in attracting and retaining volunteers. Volunteering also has the potential to contribute to Europe 2020 objectives, assisting individuals into education and training. We welcome the proposals to incorporate sport-related qualifications when implementing the European Qualifications Framework and to promote and recognise formal and informal learning gained through volunteering (paragraph 57).
129. Volunteering is an area which could benefit from the sharing of best practice at a European level and the Commission should facilitate this (paragraph 58).
130. We consider the EU Year of Volunteering to be a valuable platform for promoting volunteering in sport and considering how to create a favourable climate for it. The integration of sport into such initiatives is important, recognising the ability of sport to contribute to a wide range of policy objectives (paragraph 59).
131. Whilst we accept that the resources are likely to be small, we nevertheless believe there to be value in a Sports Programme and in the transnational links it promotes. In particular, we support the funding of projects in the areas outlined in the Commission's Communication as in line with areas where evidence shows sport can deliver significant outcomes against wider policy objectives (paragraph 71).
132. Creating the right transnational networks will be crucial to the success of a Sports Programme. We urge the Commission to learn lessons from the Preparatory Actions and in particular to explore how the transnational requirement can be made easier for grassroots organisations to fulfil (paragraph 72).
133. In light of the wide range of policy objectives which sport can deliver, general EU funding streams offer significant potential to grassroots sports. Many of these streams have significantly greater resources than would be available through a dedicated Sports Programme. The existence of any specific funding stream for sport should not mean that it is marginalised in other funds. Indeed, sport should be further integrated into EU funding streams. We welcome the Commission's commitment to the principle of mainstreaming sport in funding but found the evidence of the Sport and Recreation Alliance, that in recent years sport has been marginalised in many funds it is eligible to apply to, worrying. We hope that the EU's new formal competence in sport will help redress this situation (paragraph 73).

134. It is clear to us that the sale of broadcasting rights provides an important source of income for some grassroots sports. We were pleased to note the recent strengthening of the UK Sport and Recreation Alliance's voluntary Code of Conduct on the reinvestment of broadcasting revenues into grassroots sports. Such models of good practice could usefully be shared among Member States, and a Council Recommendation might be considered to achieve this (paragraph 85).
135. Commercial arrangements have developed allowing sports to derive substantial income from broadcasting, namely collective selling and territoriality. Both have been the focus of attention for their compliance with the competition and internal market aspects of EU law. In our evidence, we heard a difference of views on the extent to which Article 165 requires the specific nature of sport to be taken into account when assessing such arrangements for compliance with EU law. We conclude that the inclusion of the specificity of sport in the Article and therefore in the Treaty may inform the EU's legal assessment of commercial arrangements, such as collective selling of broadcasting rights and territorial restrictions, which often lead to the re-investment of revenues at the grassroots (paragraph 86).
136. We welcome the Commission's recognition in its Communication of the potential benefits to be derived from collective selling, while complying with competition law. On territoriality, we take note of the Advocate General's recent Opinion, in which the principle was not upheld, and observe that the implications for the funding of grassroots sports, if supported by the Court, are not clear (paragraph 87).
137. As case law develops following the entry into force of the Lisbon Treaty, we recommend that the Commission analyses the Court's judgments relating to the specific nature of sport within Article 165, with a view to producing its own interpretation of the principle. This, we consider, would offer a useful basis for further discussion and movement towards a consensus among the other EU institutions and stakeholders (paragraph 88).
138. Digital piracy of sporting events is clearly a matter of concern. We recommend that sport be included within the Commission's work on the Digital Agenda, including its forthcoming Proposal for a Framework Directive on the management of copyright (paragraph 89).
139. Our evidence was divergent on the question of requiring the gambling industry to pay a fair return for its use of sports' intellectual property. The Commission should analyse the evidence in this area, particularly the levy introduced by the French government and with reference to the results of the forthcoming study on the funding of grassroots sport. Some witnesses were concerned that consultation has been unbalanced. We recommend that the Government and the Commission consult both sports bodies and the industry on the merits of such a system (paragraph 90).
140. Online gambling services do not respect national borders, and may often be based outside the EU. Should concerns be identified and upheld, including in relation to the link between gambling and the funding of grassroots sport, there might consequently be a case in principle for the EU to act. Any future EU action relating to online gambling services in the Internal Market should address sport, and particularly the funding of grassroots sport, into account (paragraph 91).

## Chapter 5: Effective and representative dialogue

141. It is important to ensure that EU legislation and initiatives across the policy spectrum do not adversely affect sport. The Communication does not specifically address this aspect of mainstreaming, but we consider it vital to the effectiveness and success of sport in delivering policy objectives. The Commission should make full use of the impact assessment process to safeguard against unintended damage to sport and we urge vigilance on the part of both the Commission and the Government. We consider it probable the new competence will add weight to this. The Commission should, in consultation with stakeholders, conduct a full review of existing EU legislation with a view to identifying existing regulatory burdens on sport. Particular attention should be given to those impacting upon volunteers, as recommended in chapter 4 (paragraph 112).
142. The various forms of dialogue between the Commission and stakeholders need to ensure that grassroots sport is adequately represented. The Commission should monitor the extent to which structured dialogue, including attendance at the Sport Forum, is representative, and should take remedial action as necessary. Where expanding the range of stakeholders would make dialogue unwieldy, the Commission should facilitate an exchange of views with sport on a theme by theme basis (paragraph 113).
143. Member States should be encouraged to seek the views of all relevant stakeholders. The DCMS EU Sport Stakeholder Group is a good example of this. However, we find it surprising that Sport England is represented whilst Sport Northern Ireland, sportscotland and Sport Wales are not. We recommend they be invited to join the stakeholder group (paragraph 114).
144. Witnesses were critical of the composition and functioning of the working groups, although they acknowledged their potential. The Commission should encourage Member States to give proper consideration to the most appropriate organisations or individuals to sit on the working groups. The participation of smaller specialist groups should also be encouraged on an *ad hoc* basis (paragraph 115).
145. Further thought should be given to a more strategic and joined up approach to the different forms of dialogue between stakeholders and the Commission, for example using the Sport Forum as a medium to disseminate the findings and conclusions of the working groups to a wider audience (paragraph 116).
146. We agree with witnesses that fulfilling the potential of the new Treaty competence relies on communication and inclusion. Many grassroots sports organisations have a limited awareness of Brussels, and of the funding opportunities available. We recommend that both the Government and the Commission give thought to how they can individually and jointly publicise the opportunities at EU level which are open to grassroots sports, including funding, opportunities for the sharing of best practice and dialogue with the Commission (paragraph 117).
147. We recommend that the Commission establish a European webportal to facilitate the sharing of best practice and the formation of pan-European links between grassroots sports organisations. Although we acknowledge the Minister's point regarding the need for it to be adequately publicised we consider there is sufficient evidence that such a tool would be welcomed by stakeholders, it would provide genuine EU added value, ensure accessibility by engaging grassroots sports at all levels and offer good value for money (paragraph 118).

## APPENDIX 1: SUB-COMMITTEE ON SOCIAL POLICIES AND CONSUMER PROTECTION

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The Members of the Sub-Committee which conducted this inquiry were:

Lord Cotter  
 Lord Eames  
 Baroness Henig  
 Lord Hunt of Wirral  
 Lord Inglewood  
 Lord Kirkwood of Kirkhope (until November 2010)  
 Lord Liddle (until March 2011)  
 Baroness Miller of Hendon (until January 2011)  
 Baroness Prosser  
 Baroness Scott of Needham Market (from December 2010)  
 Lord Skidelsky  
 Lord Whitty  
 Baroness Young of Hornsey (Chairman)

### Declarations of Interests

Lord Cotter  
*No relevant interests*

Lord Eames  
*Life member, Royal Yacht Association*  
*Member, Strangford Lough Yacht Club*

Baroness Henig  
*Chair, Security Industry Authority*  
*President, Association of Police Authorities*  
*Visit to Qatar, 9-10 March 2011, as guest of Mohammed Al-Hanzab, President of the Qatar International Academy for Security Studies (QIASS), at 1st International Sports Security Conference; travel and accommodation expenses paid by QIASS*

Lord Hunt of Wirral  
*Practising solicitor and partner since 1968, Beachcroft LLP (national commercial law firm) including acting in a professional capacity for the England and Wales Cricket Discipline Commission*  
*Member, All Party Cricket Group*  
*Member, All Party Lawn Tennis Group*

Lord Inglewood  
*Patron and Life Member, Ambleside Sports*  
*Life Member, Grasmere Sports*  
*Life Member, Cumberland County Cricket Club*

Lord Kirkwood of Kirkhope  
*No relevant interests*

Lord Liddle  
*Director, University of Cumbria*  
*Chair, Policy Network*  
*Member, Advisory Board, European Institute, UCL*

Baroness Miller of Hendon  
*From time to time the Member receives free tickets to the Directors' box and travel to attend Arsenal FC games in UK and abroad*

Baroness Prosser

*No relevant interests*

Baroness Scott of Needham Market

*No relevant interests*

Lord Skidelsky

*No relevant interests*

Lord Whitty

*No relevant interests*

Baroness Young of Hornsey

*Visit to Qatar, 9-10 March 2011, as guest of Mohammed Al-Hanzab, President of the Qatar International Academy for Security Studies (QIASS), at 1st International Sports Security Conference; travel and accommodation expenses paid by QIASS*

A full list of registered interests of Members of the House of Lords can be found at <http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests/>

Professor Richard Parrish acted as Specialist Adviser for this Inquiry and declared the following relevant interests:

International partner in European Parliament project: *The Lisbon Treaty and European Union Sports Policy*, IP/B/CULT/IC/2010-028. Study published by the European Parliament, Sept 2010.

International partner in European Commission project, No DG EAC/19/2009, *Study on the Equal Treatment of Non-nationals in Individual Sports Competitions*. Study delivered to the European Commission, Nov 2010.

International partner in European Commission project *Study into the Identification of themes and Issues to be Dealt with in a Social Dialogue in the European Professional Cycling Sector* (2008-09). VP/2008/001 (Industrial Relations—Social Dialogue).

International partner European Commission project *Study into the Identification of Themes and Issues to be Dealt with in a Social Dialogue in the European Professional Football Sector* (2007-08). Industrial Relations and Social Dialogue budget heading: 04030301.

International partner in European Parliament funded project into professional sport in the European Union. Co-author of resulting report, *Professional Sport in the Internal Market*, European Parliament Project No: IP/A/IMCO/ST/2005-004, Sept 2005, pp.92.

## APPENDIX 2: LIST OF WITNESSES

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Evidence is published online at [www.parliament.uk/hleug](http://www.parliament.uk/hleug) and available for inspection at the Parliamentary Archives (020 7219 5314)

### Oral Evidence

#### 11 November 2010

Sport and Recreation Alliance (formerly CCPR)

Written evidence GSEU 1

Written evidence GSEU 21

#### 9 December 2010

Sport England

Written evidence GSEU 29

#### 16 December 2010

Football Association

Lawn Tennis Association

Rugby Football Union

Written evidence GSEU 16

Written evidence GSEU 27

Written evidence GSEU 7

Supplementary written evidence GSEU 33

#### 13 January 2011

Football Foundation

StreetGames

Written evidence GSEU 20

Written evidence GSEU 11

Supplementary written evidence GSEU 37

Supplementary written evidence GSEU 34

#### 25 January 2011

Mary Honeyball MEP and Emma McClarkin MEP

EU Sports Platform

#### 1 February 2011

European Commission

#### 3 February 2011

Sport Northern Ireland

Sportscotland

SportWales

Written evidence GSEU 19



Written evidence GSEU 5

Written evidence GSEU 35

### **10 February 2011**

Hugh Robertson MP, Minister for Sport and the Olympics and Henry Burgess:  
Department for Culture, Media and Sport (DCMS)

Written evidence GSEU 9

Supplementary written evidence GSEU 38

### **Written evidence**

Evidence marked \* is associated with oral evidence.

### **Order of receipt**

- \* Sport and Recreation Alliance (formerly CCPR) (GSEU 1)
- Haringey Sports Development Trust (GSEU 2)
- Webb, Andy (GSEU 3)
- Dwarf Sports Association UK (GSEU 4)
- \* SportsScotland (GSEU 5)
- National Council for School Sport (NCSS) (GSEU 6)
- \* Rugby Football Union (GSEU 7)
- Sporta (social enterprises within culture and leisure) (GSEU 8)
- \* Department for Culture, Media and Sport (DCMS) (GSEU 9)
- PAiCE (GSEU 10)
- \* StreetGames (GSEU 11)
- Betfair PLC (GSEU 12)
- Royal National Institute of Blind People (RNIB) (GSEU 13)
- English Federation of Disability Sport (EFDS) (GSEU 14)
- Women's Sport and Fitness Foundation (GSEU 15)
- \* Football Association (GSEU 16)
- Premier League (GSEU 17)
- PartyGaming (GSEU 18)
- \* Sport Northern Ireland (GSEU 19)
- \* Football Foundation (GSEU 20)
- \* Supplementary Memorandum by the Sport and Recreation Alliance (formerly CCPR) (GSEU 21)
- International Sport and Culture Association (ISCA) (GSEU 22)
- Jubilee Hall Trust (GSEU 23)
- Sports coach UK (GSEU 24)
- Centre for Access to Football in Europe (CAFE) and National Association of Disabled Supporters (NADS) (GSEU 25)



- Rugby League European Federation (GSEU 26)
- \* Lawn Tennis Association (GSEU 27)
- HFL Sports Science (GSEU 28)
- \* Sport England (GSEU 29)
- European Non-Governmental Sports Organisation (ENGSO) (GSEU 30)
- Youth Sport Trust (GSEU 31)
- Supporters Direct (GSEU 32)
- \* Supplementary Memorandum by the Football Association, Lawn Tennis Association and Rugby Football Union (GSEU 33)
- \* Supplementary Memorandum by StreetGames (GSEU 34)
- \* Sport Wales (GSEU 35)
- England Athletics (GSEU 36)
- \* Supplementary Memorandum by the Football Foundation (GSEU 37)
- \* Supplementary Memorandum by the Department for Culture, Media and Sport (DCMS) (GSEU 38)

### Alphabetical

- Betfair PLC (GSEU 12)
- Centre for Access to Football in Europe (CAFE) and National Association of Disabled Supporters (NADS) (GSEU 25)
- \* Department for Culture, Media and Sport (DCMS) (GSEU 9)
- \* Supplementary Memorandum by the Department for Culture, Media and Sport (DCMS) (GSEU 38)
- Dwarf Sports Association UK (GSEU 4)
- England Athletics (GSEU 36)
- English Federation of Disability Sport (EFDS) (GSEU 14)
- European Non-Governmental Sports Organisation (ENGSO) (GSEU 30)
- \* Football Association (GESU 16)
- \* Supplementary Memorandum by the Football Association, Lawn Tennis Association and Rugby Football Union (GSEU 33)
- \* Football Foundation (GSEU 20)
- \* Supplementary Memorandum by the Football Foundation (GSEU 37)
- Haringey Sports Development Trust (GSEU 2)
- HFL Sports Science (GSEU 28)
- International Sport and Culture Association (ISCA) (GSEU 22)
- Jubilee Hall Trust (GESU 23)
- \* Lawn Tennis Association (GSEU 27)
- National Council for School Sport (NCSS) (GSEU 6)
- PAiCE (GSEU 10)

- PartyGaming (GSEU 18)
- Premier League (GSEU 17)
- Royal National Institute of Blind People (RNIB) (GSEU 13)
- \* Rugby Football Union (GSEU 7)
- Rugby League European Federation (GSEU 26)
- Sporta (social enterprises within culture and leisure) (GSEU 8)
- Sports coach UK (GSEU 24)
- \* Sport England (GSEU 29)
- \* Sport Northern Ireland (GSEU 19)
- \* Sport and Recreation Alliance (formerly CCPR) (GSEU 1)
- \* Supplementary Memorandum by the Sport and Recreation Alliance (formerly CCPR) (GSEU 21)
- \* Sportscotland (GSEU 5)
- \* Sport Wales (GSEU 35)
- \* StreetGames (GSEU 11)
- \* Supplementary Memorandum by StreetGames (GSEU 34)
- Supporters Direct (GSEU 32)
- Webb, Andy (GSEU 3)
- Women's Sport and Fitness Foundation (GSEU 15)
- Youth Sport Trust (GSEU 31)

## APPENDIX 3: SITE VISIT

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### Grassroots Sports and the EU Inquiry: visit to Camden Disability Sports Development Team at Swiss Cottage School, 20 January 2011

Baroness Young of Hornsey and Baroness Henig, were in attendance, accompanied by Talitha Rowland, Clerk to the Committee, and Alistair Dillon, Policy Analyst

The Disability Sports and Physical Activity team are responsible for disability sports provision across the borough of Camden. Swiss Cottage School is a specialist school for Special Educational Needs. It has 152 pupils aged 2–16 with a range of learning difficulties and associated needs. The school work with the Local Authority in order to ensure suitable sports provision for their pupils. They currently receive funding from Sport England and have previously received funding from the Football Foundation.

The Committee were met by Ben Dorsett (Manager, Disability Sport and Physical Activity Team) and Joe West (Head of PE at Swiss Cottage School)

The team run and support a range of disability sports activities across the borough including in school PE sessions, after-school and weekend clubs and an adult disability football league in which 200 adults participate. They also provide support and training to outside clubs to help them improve their disability provision and to encourage greater participation.

#### *Views of participants and impact of participation on individuals*

The children were uniformly positive in their assessment of sporting activities. Reasons given included meeting new people, participating alongside other disabled people, having the opportunity to try new activities and a sense of achievement and pride in their accomplishments, including gaining awards such as the Sport and Fitness Award. The London Youth Games, which most pupils had participated in, was highlighted as a good example of an event which motivated pupils, providing them with a range of positive experiences. Some of the girls mentioned how they enjoyed non-traditional sports such as cheerleading.

Those involved in running the sports sessions elaborated and provided their perspective adding that participating in sports helped develop skills including teamwork, concentration and communication. This impact was confirmed by the Headteacher. The potential of sport to transform individuals was discussed, with the example given of a pupil who had been expelled for violent behaviour but was being integrated back into education using a programme in which sport was a key component. Staff felt that it was particularly helpful in enabling the pupil, who had a troubled background, to channel his anger. Activity events where families could participate were also mentioned which it was felt helped promote an active lifestyle and gave parents a chance to meet others in similar situations.

Measuring the impact of participating in sports activities were discussed. A number of methods are used including gathering qualitative impressions from the children, assessing impact on behaviour in conjunction with teachers, qualifications gained, and monitoring the numbers who go on to continue an active lifestyle, for example through participating in weekend or evening clubs.

### *Partnership Working*

Disability sports staff identified partnership working as key to the success of their work and crucial to engaging people, whether this was with the school, families, bodies such as Sport England, Primary Care Trusts, local disability charities or with groups such as the Special Olympics. It was also highlighted how many clubs needed extra support to help them ensure that their activities were fully inclusive. It was felt that there was frequently a fear around including those with disabilities which only needed education to overcome. It was stressed that often sports could be made more inclusive with very minor adaptations. Providing this type of support and training to outside clubs was highlighted as part of the work of the Team. The example was given of a local athletics club which they had worked with to increase the participation of those with disabilities initially through bringing their coaches into help with school sessions and then helping facilitate links with parents and families.

### *Exchange of Best Practice and Transnational Links*

It was explained that some exchange of best practice currently occurs in network meetings with other boroughs. Sharing best practice internationally and creating transnational links between sports groups was highlighted as an aspiration. A website was seen as a useful way to facilitate this. It was also seen as a potentially useful tool to enable links to be made with other organisations applying for EU funding. The ability of sport to help break down cultural barriers was also discussed.

The school had developed some informal links (independently of EU initiatives) with Sweden and France with at some government ministers coming to observe practice. This had increased a sense that there was much to be learnt from transnational links. There had also been a visit initiated by parents with children in similar positions in France looking to identify best practice. It was stressed that these kinds of exchanges were particularly valuable in increasing awareness of the types of changes which were possible.

### *Volunteering*

The importance of volunteering was stressed along with the fact that the benefits of participating, such as increased confidence, often extended to volunteers. An example was given of a volunteer programme designed as a personal empowerment and leadership scheme for young girls. Ex-offenders working as volunteers, subject to the correct security clearance, was also seen as valuable, helping individuals re-integrate back into society through giving them responsibility. The possibility of being able to gain qualifications, such as the Sports Leadership qualifications through volunteering was seen as particularly valuable in recruiting and retaining volunteers. The process by which volunteers were supported and mentored, including in their efforts to find employment was particularly valued. The desirability of a cultural shift where volunteering was embedded in the lifestyle was discussed. Although there had been no transnational links to date, it was thought there was scope in this area and that there would be uptake of opportunities. It was felt that a database of organisations would help in this process. The contribution of volunteers to the Special Olympics was highlighted as a model of best practice.

January 2011

## APPENDIX 4: CALL FOR EVIDENCE

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The EU Social Policies and Consumer Protection Sub-Committee is conducting an Inquiry into EU sports policy and grassroots sports.

The Lisbon Treaty introduced a specific competence for the EU in the area of sport (Article 165). Sport primarily remains a competence of individual Member States but the EU can now take action to:

- Coordinate and support Member States' actions
- Make recommendations to Member States
- Ensure that sport is considered across other relevant EU policy areas
- Provide a limited funding stream for transnational sports projects

A Commission Communication on implementing the Lisbon provisions, setting out the EU's strategic vision until 2015, is due before the end of the year. It will be accompanied by a draft Decision establishing the Sports Programme (funding stream). This will initially cover the period 2012–2013 and a full programme will begin with the EU's next long-term budget in 2014. The Committee is gathering evidence to inform its response to the Commission Communication when it will make recommendations to the Government and to the European institutions.

One of the fundamental aims of the competence is to ensure that the social and educational significance of sport is fully recognised and supported. The Committee is interested in gathering views on the current challenges faced by grassroots sports in Europe and to help the Commission identify priority areas for action, both in terms of funding but also in terms of overcoming any regulatory obstacles that may exist. We aim to consider how the competence might be used to contribute to wider priorities and agendas such as promoting social inclusion and integration and health and educational considerations.

We are particularly interested in hearing the views of smaller, grassroots organisations and those who participate or contribute to such activities in any capacity. **You need not address all the questions.**

Particular questions to which we invite you to respond are as follows:

### *The benefits of participation*

- (1) Why is participation in grassroots sport important? What benefits does it bring?
- (2) What benefits can participation bring to particular groups (e.g. young people, migrants, disabled people, or women)?

### *Obstacles to participation and effectiveness*

- (3) How is participation of these groups encouraged? What obstacles or barriers have you encountered to encouraging participation more broadly and specifically of minority and under-represented groups?
- (4) What obstacles or barriers (e.g. financial or regulatory) have you encountered which prevent grassroots sports from fulfilling its potential in the social, health and educational spheres?

*The role of EU policy*

- (5) How do you think public policy can help improve participation in, and the wider contribution of, grassroots sport? In particular, how might EU policy help?
- (6) Is sport considered sufficiently across all relevant EU policy areas?

*EU funding*

- (7) What, if any, experiences have you had of working with organisations in other Member States? Has any such cooperation been part-funded by the EU?
- (8) How do you consider the new EU Sports Programme should be structured and what should its priorities be, both in the short (until 2013) and longer term (until 2020)? Does the Preparatory sports programme provide a good model from which to work?

The deadline for written evidence is **17 November 2010**.